

IN THE HIGH COURT FOR THE STATE OF TELANGANA

AT HYDERABAD

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.16104 of 2025

DATE: 19.12.2025

BETWEEN:

Hamid

.....petitioner/accused

And

The State of Telangana,
Rep. by Public Prosecutor,
High Court for the State of Telangana,
at Hyderabad.

.....Respondent/complainant

ORDER

This Criminal Petition is filed praying this Court to
enlarge the petitioner on bail who is arrayed as accused in
Crime No.242 of 2025 before the Ramannapet Police Station,

Rachakonda Commissionerate, registered for the offence punishable under Sections 105, 106(1), 125(a) of BNS.

2. The brief facts of the case are that on 09.10.2025, during early-morning vehicle-checking duty near Subhash Centre, Ramannapet, a container lorry bearing No. HR 55 AX 0565, allegedly driven in a rash and negligent manner, hit Home Guard Upendra Chary, who was wearing a reflective jacket, causing his instantaneous death. The driver of the lorry allegedly fled from the scene. A written complaint was lodged stating that the police team was performing duty as per instructions and that the lorry driver, despite knowing that vehicle checking was underway, drove at high speed, causing the fatal accident. Based on this, the present crime was registered against the petitioner, who was later remanded to judicial custody.

3. Heard Y. Ram Reddy, learned counsel appearing on behalf of the petitioner as well as Sri D. Arun Kumar, learned Additional Public Prosecutor appearing on behalf of the respondent – State.

4. Learned counsel for the petitioner submitted that the petitioner was a permanent resident of Rajasthan with no criminal antecedents and had been falsely implicated and that the ingredients of Section 105 BNS were not attracted, as there was neither intention nor knowledge to cause death, and the case, at most, fell under Section 106 BNS relating to rash and negligent driving. He further submitted that the remand report did not disclose any specific role of the petitioner, the investigation was already completed except for filing the charge sheet, and the petitioner had cooperated throughout. He contended that the police added Section 105 BNS only to cover their own lapses in conducting vehicle checking without proper precautionary measures. Therefore, he prayed the Court to grant bail to the petitioner by allowing this Criminal Petition.

5. On the other hand, learned Additional Public Prosecutor opposed the submissions made by the learned counsel for the petitioner stating that there are serious allegations against the petitioner. Further, the investigation was not yet completed. At this stage, granting of bail to the petitioner

does not arise. Therefore, he prayed the Court to dismiss the criminal petition.

6. In the light of the submissions made by both the learned counsel and a perusal of the material available on record, it appears that the petitioner is in jail since 28.10.2025. As seen from the record, the material part of the investigation has been completed and L.Ws.1 to 27 witnesses have been examined. Considering the facts and circumstances of the case and the incarceration period of the petitioner, this Court deems it fit to grant bail to the petitioner, subject to the following conditions:

- i. The petitioner shall execute a personal bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only), with two sureties for a like sum each to the satisfaction of the learned I Additional Sessions Judge, Bhuvanagiri.
- ii. The petitioner shall appear before the concerned SHO at 11:00 a.m., on every Monday for a period of eight (8) week or till filing of charge sheet whichever is earlier, for the purpose of

investigation, and thereafter, as and when required.

- iii. The petitioner shall abide by the conditions stipulated in Section 437(3) of Cr.P.C.(presently, Section 480(3) of the BNSS).

- 8. Accordingly, the Criminal petition is allowed.

Miscellaneous applications, if any pending, shall stand closed.

K. SUJANA, J

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SAI

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