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Crl.Misc.No.289/2026

Presented on : 02-06-2026

Registered on : 03-06-2026

Decided on : 09-06-2026

Duration : 1 weeks 0 days

**IN THE COURT OF THE I ADDL DISTRICT &
SESSIONS JUDGE, YADGIR**

Dated: This the 9th day of June, 2026

:Present:

Sri. A. EARANNA, M.Com., L.L.M.,
I Addl. Dist. & Sessions Judge, Yadgir

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Petitioners:

1. Yusuf Ali @ Shaikh Yusuf Ali s/o Shaikh Moulala Ali, Age:30 Years, Occ:Coolie,
2. Khajabee W/o Shaikh Moulala ali, Age:55 Years, Occ:Household,
3. Moulala @ shaikh Moulala ali S/o Khadarsab aliyas Abdulsab, Age:55 Years, Occ:Coolie,
4. Farooq S/o Moinuddin, Age:34 Years, Occ:Coolie,
5. Ashma @ Haseena Begum W/o Farooq, Age:30 Years, Occ:Household,
6. Ayub S/o Moulali, Age: Years, Occ:Coolie, R/o Allapur Borabanda subja nagar Hyderabad Telangana.

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(By Sri.S.S.Kamatagi, Advocate).

Vs.

Respondent:

The State through Gurmitkal Police Station,
Tq.Gurmitakl, Dist.Yadgiri.

(By Public Prosecutor)

ORDER

The petition is filed by the petitioners under Section 482 of BNSS for an order of anticipatory bail.

2) On the strength of complaint the Gurmitkal police have registered the case in Crime No.5/2026 for the offences punishable under Sections 85, 351(3), 352 R/w 190 of BNS.

3) In the bail petition it is contended that they are nothing to do with the alleged offence they have been falsely involved in the above case. The offence U/sec.85 of BNS would not attracted. There is no material to show that the petitioners harass to the complainant by mental or physical torture with saying that you unable to working properly in house and you



have unable to give birth to the baby. They have not committed any offences. The respondent police have falsely implicated the petitioners in the case on hand, on the basis of false complaint filed by the complainant. The alleged offences are not punishable with death or imprisonment for life. Petitioners are ready to furnish the surety to release them on bail. On these grounds, the petitioners prays to allow the bail petition.

4) The learned Public Prosecutor filed the objection contending that present bail petition is not maintainable, same is liable to be dismissed. Accused persons have gave physical mental torture to the complainant and abused in filthy language. Case is under investigation. If the petitioners are released on bail then they may hamper and tamper the prosecution case and case is under investigation along with other grounds he pray to dismiss the bail petition.

5) Heard both sides. Perused the record.



6) Following points arise for consideration of this Court:

1. Whether the petitioners are made out grounds to enlarge them on anticipatory bail under Section 482 of BNSS.?

2. What order?

7) My findings on the above Points are as follows:

Point No.1:- In the Affirmative

Point No.2:- As per final order,

for the following:

REASONS

8) **Point No.1:-** The counsel for the petitioners argued that petitioners have not at all committed alleged offences as alleged by the prosecution. Based on the ill wishers lodged the complaint against the petitioners. Petitioners are law abiding citizens ready to cooperate with the IO and appear before the court on each and every date of hearing. Therefore, they prays to allow the bail petition.

9) The learned Public Prosecutor argued that case is



under investigation. Petitioners are abused in filthy language and gave life threat and demanded dowry an amount of Rs.5,00,000/- and 2 tolas of gold for that complainant lodged the complaint. If the petitioners are released on bail then they may hamper and tamper the prosecution case along with other grounds he prays to dismiss the bail petition.

10) One Noorjahan has lodged the complaint on 6.1.2025 stating that complainant had got married petitioner No.1 on 25.4.2019. At the time of marriage parents of the complainant had paid an amount of Rs.5,00,000/-, 2 tola gold, for their livelihood. Complainant and petitioners went to Hyderabad and resided few months in Hyderabad. After the marriage, she has looked cordially. Thereafter, petitioners are told you are not properly cooking the food, you are not proper wife to the petitioner No.1 and you are not doing any work, you are taking the meals without any work for that petitioners abused in filthy language and gave



life threat. Same was brought to the parents of the complainant and parents of the complainant and petitioners have made Nyaya panchayath where petitioners agreed. They have not given physical mental torture and they will take the complainant for their house. Then again petitioners have started to giving physical mental torture. Finally, on 16.11.2025 she was taken to her marital home at that time petitioners have also attended the Nyaya panchayath wherein petitioners assaulted on the complainant and her parents. Finally, complainant lodged the complaint at Hyderabad registered as '0" FIR. Thereafter, said complaint was transferred to Gurumitkal police station. Based on the complaint Gurumitkal police have registered the case in Crime No.1/2026 for the aforesaid offences.

11) As per the averments of the complaint, complainant and petitioner No.1 go married on 25.4.2019 their marriage was arrange marriage and



marriage was held at Kadechur village. At the time of marriage, parents of the complainant had paid Rs.50,000/- and 2 told gold. After they went to Hyderabad for their livelihood. Where she has looked cordially for few days. Thereafter, petitioners abused in filthy language stating that she does not know the work and you are taking meals without work and asked the complainant not to reside in the said house. They gave physical mental torture. Petitioners No.2 to 6 instigated the petitioner No.1 for that petitioner No.1 giving physical mental torture to the complainant. Same was intimated by the complainant to her parents. Her parents came and advised the petitioners not to give physical mental torture. Then they have looked cordially for 2 days. Thereafter, they have given physical mental torture. Finally, panchayath were held on 16.11.2024 at about 3 p.m., at the time of panchayath petitioners abused in filthy language assaulted with hand and kicked and pahchayath were



failed. Thereafter, complainant has lodged the complaint. Based on the complaint police have registered the case in Crime No.1/2026 for the aforesaid offences.

12) As per the averments of the complaint at the time of her marriage gave 2 tola of gold and Rs.50,000/- cash. Petitioners are told you are not given the birth to child and they abused in filthy language, gave physical mental torture. Admittedly, complainant is resident of Allapur Borbanda, Sabdanagar Hyderabad, Telangana State. As per the averments of the complaint there is a family dispute arises in between the complainant and petitioners. Counsel for the petitioners submitted that respondent police are making hectic efforts to arrest the petitioners. If the petitioners arrested and remanded to J.C. then there is less chances of reunion in between the petitioners and complainant. Alleged offence U/sec.85 of BNS is non bailable in nature other offences are bailable in nature. All the offences are not



punishable with death or imprisonment for life and triable by the court of JMFC. While considering the bail application court ought to see the nature of the offence, gravity of the offence and fleeing away from the justice. In present case, petitioner No.2 and 3 are senior citizens. Petitioner No.2 and 5 are females. Petitioners No.3, 6 are residents of Allapur Borbanda, Subjanagar, Hyderagad, State Telangana. Petitioners No.1, 2, 4, 5 are residents of Balichakra village of Yadgiri District. Petitioners are having landed properties in their names in their respective village. While considering the bail application court ought to see the nature of the offence, gravity of the offence, fleeing away from justice. Further, apprehension of prosecution shall be meted out by imposing suitable conditions. Considering the entire facts of the case, I am of the view that petitioners are entitled for bail. Hence, I answer the above Point No.1 in the **Affirmative.**

13) **Point No.2:** In view of my findings on Point No.1, I



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proceed to pass the following:

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ORDER

The bail petition filed by the petitioners No.1 to 6 U/s 482 of BNSS, is hereby allowed.

The respondent police are hereby directed to enlarge the petitioners on anticipatory bail in the event of their arrest in Crime No.5/2026 of respondent Police Station for the aforesaid offences on execution of personal bonds for Rs.50,000/- each with one surety for the like sum on the following conditions:

1. The petitioners shall join investigation and co-operate with I.O for investigation.
2. The petitioners shall not tamper with the prosecution evidence or influence the prosecution witnesses directly or indirectly in any manner.
3. The petitioners shall not indulge with offence of like nature.
4. In case, if the petitioners violate

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any of the 11 above mentioned
conditions, the prosecution is at
liberty to move an application in such
cases for cancellation of bail.

(Dictated to the Stenographer Grade-II directly on computer typed by him,
corrected, signed and then pronounced by me in open Court on this the
9th day of June, 2026).

(A. EARANNA)
I Addl. Dist. & Sessions Judge,
Yadgir.