

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.12927 of 2025

ORDER:

Seeking the Court to enlarge the petitioner-accused in Crime No.488 of 2025 of Moinabad Police Station, Cyberabad Commissionerate, on bail, the present petition is filed.

2 . The brief facts of the case are that, on 12.08.2025, the *de-facto* complainant lodged a report stating that on 06.08.2025 at around 08:30 hours, his brother returned home in a drunken state and got into a quarrel. During the altercation, the petitioner allegedly struck the deceased on the head with a leg stick, causing a bleeding injury. The injured was shifted to the hospital for treatment but succumbed to the injuries on 14.08.2025. Initially, a case was registered under Section 118(1) of the Bharatiya Nyaya Sanhita (BNS). Following the death of the injured, the offence was altered to Section 103(1) of the BNS.

3. Heard Sri B. Mallikarjun Reddy, learned counsel appearing for the petitioner as well as Smt. Shalini Saxena,

learned Assistant Public Prosecutor appearing on behalf of the respondent-State.

4. Learned counsel for the petitioner submitted that the petitioner is the son of the deceased and that the incident occurred during an altercation in a state of intoxication, without any intention to cause death and that even as per the case of the prosecution, the petitioner assaulted the deceased while under the influence of alcohol. He further submitted that the petitioner was arrested on 25.08.2025 and has been in judicial custody since then and a substantial portion of the investigation has already been completed. Therefore, prayed the Court to grant bail to the petitioner by allowing this criminal petition.

5. On the other hand, learned Assistant Public Prosecutor opposed the submissions made by the learned counsel for the petitioner, contending that the allegations against the petitioner are grave in nature and that the investigation is still ongoing, releasing the petitioner on bail at this stage may lead to tampering with evidence or intimidation of witnesses and prayed the Court to dismiss the criminal petition.

6. In light of the submissions made by both the learned counsel and upon a perusal of the material available on record, it is evident that the petitioner has been in judicial custody since 25.08.2025. As reflected in the remand case diary, prosecution witnesses LWs.1 to 17 have already been examined. Considering the overall facts and circumstances of the case, including the nature of the allegations, the stage of investigation, and the duration of incarceration, this Court finds it appropriate 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 Junior Civil Judge-cum-XII Additional Judicial Magistrate of First Class, Ranga Reddy District at Rajendranagar.
- 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).

7. Accordingly, the Criminal petition is allowed.

Miscellaneous applications, if any pending, shall stand closed.

K. SUJANA, J

Date: 25.10.2025
SS

THE HONOURABLE SMT JUSTICE K. SUJANA

CRIMINAL PETITION No.12927 of 2025

Date: 25.10.2025

SS