

HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

CRIMINAL PETITION No. 8177 OF 2021

O R D E R:

This Criminal Petition under Section 438 Cr.P.C. is filed by petitioners – Accused Nos. 1 to 3 seeking bail in the event of their arrest in connection with Crime No. 196 of 2021 of P.S. V.M. Banjara registered for the offences punishable under Sections 143, 294-B, 323, 447, 363, 506 read with Section 149 IPC.

2. The case of prosecution is that on 06.10.2021, a complaint was lodged by the complainant, who was stated to be the gardener at Ekalavya Oils and Minerals Private Limited situated at Survey No. 126, Bayyannagudem Village, alleging that on 01.10.2021, at about 14.30 hours, the accused and 20 others criminally trespassed into the garden in four cars, abused him and his wife in filthy language, beat him with hands and forcibly pushed him into the car and brought to his son's house at Hyderabad and threatened with dire consequences to see their end if they come to Bayyannagudem.

3. Learned Senior Counsel Sri L. Ravichander appearing on behalf of learned counsel for petitioners Sri Parsa Ananth Nageswar Rao submits that originally, Ekalavya Oils and Minerals Pvt. Limited sold the property on 06.06.2011 in favour of one Sri Gandham Gopal Vittal, who, in turn, sold the property in favour of Sri Popuri Ankineedu by the document dated 08.10.2021. It is submitted that Ekalavya Oils and

Minerals Pvt. Limited has nothing to do with this property from 06.06.2011 onwards and the petitioner No.1 is a care-taker of subsequent purchaser Sri Ankineedu and the allegations in the complaint itself show that for the reasons best known to him and with an intention to implicate petitioners, they have been arrayed as accused.

4. On the other hand, learned Assistant Public Prosecutor submits that ten witnesses were examined so far and investigation is in progress, and at this stage, petitioners are not entitled for pre-arrest bail.

5. Taking into consideration the fact that according to the complainant, property belongs to Ekalavya Oils and Minerals Pvt. Limited, but as per the material on record they have sold the property in Survey No. 126 in the year 2011 and one Sri Ankineedu purchased the same on 08.10.2021 and *prima facie*, it appears that complainant has nothing to do with the subject property, this Court deems it appropriate to grant pre-arrest bail.

5. Accordingly, this Criminal Petition is allowed and petitioners – Accused Nos. 1 to 3 shall be released on bail in the event of their arrest in connection with Crime No. 196 of 2021 of P.S. V.M. Banjara on each of them executing a personal bond for Rs.20,000/- (Rupees twenty thousand only) with two sureties for a like sum each to the satisfaction of the Station House Officer, V.M. Banjara Police Station, Khammam District.

Petitioners shall cooperate with the Investigating agency and shall not tamper with the evidence.

29th November 2021

LALITHA KANNEGANTI, J

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