

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.14841 of 2024

ORDER:

This Criminal Petition is filed under section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of pre-arrest bail to the petitioners who are arrayed as accused Nos.1 to 3 in Crime No.210 of 2024 of Ramgopalpet Police Station, Hyderabad.

2. The brief facts of the case are that the *de facto* complainant stated that she is second wife of her deceased husband and accused Nos.1 to 3 are the children of her deceased husband's first wife. When the *de facto* complainant was in hospital with her deceased husband, accused Nos.1 to 3 are entered their house, where she is residing along with her husband, in order to grab properties, documents and stolen all the valuables such as bank passbooks, FD's, ATM, 2 Tula Gold Ring, cash worth Rs.5,000/- and leather material worth Rs.20,000/-. Hence, a case was registered vide Crime No.210 of 2024 before the Ramgopalpet Police Station, Hyderabad, for the offences punishable under Sections 305, 331(3) of of BNS.

3. Heard Sri S.Surender Reddy, learned counsel appearing on behalf of the petitioners as well as Sri Syed Yasar Manoon, learned Additional Public Prosecutor appearing on behalf of the respondent No.1-State.

4. Learned counsel for the petitioners *firstly* submitted that the petitioners are innocent and they are no way concerned with the alleged offences. He *secondly* submitted that the house belongs to the father of the petitioners and they were born and brought up in the same house and the petitioner No.1 is living in the same house along with the father and their step mother i.e., *de-facto* complainant and petitioner Nos.2 and 3 also lived in the same house till their marriage and after getting marriage they are living separately. He *thirdly* submitted that the *de-facto* complainant in order to grab the entire property of the petitioner's father, filed the present false complaint and implicated them in the case. He *lastly* submitted that previously, anticipatory bail applications of the petitioner Nos.1 and 3, *vide* CrI.M.P.No.4873 of 2024 and petitioner No.2, *vide* CrI.M.P.No.4795 of 2024 was dismissed by the Special Judge for Trial of Offences Under SCs and STs (POA) Act – Cum – VI Additional Sessions Judge, Secunderabad, on 23.10.2024 and 19.10.2024 respectively, without valid reasons. Therefore, he prayed the Court to grant

of anticipatory bail to the petitioners by allowing this criminal petition.

5. On the other hand, learned Additional Public Prosecutor opposed the submissions made by the learned counsel for the petitioners stating that the investigation is not yet completed, therefore, granting of bail to the petitioners at this stage does not arise and he prayed the Court to dismiss the criminal petition.

6. After considering submissions from both the parties and material available on record, the complaint itself shows that petitioner No.1 is residing in the same house which is the subject house for tress pass and the disputes between the parties are property disputes. Therefore, considering the facts and circumstances of the case, this Court is of the considered view that it is a fit case for granting of anticipatory bail to the petitioners.

7. Accordingly, this petition is allowed granting anticipatory bail to the petitioners subject to the following conditions:

- i. The petitioners shall surrender before
the Station House Officer of
P.S.Ramgopalpet, within two weeks

from today, and on such surrender, the said Station House Officer shall release him on bail on executing a personal bond for Rs.25,000/- with two sureties, for the like sum each.

- ii. The petitioners shall appear before the concerned Station House Officer on every Monday between 9:00 A.M. to 5:00 P.M., for a period of eight (08) weeks or till filing of charge sheet whichever is earlier.
- iii. The petitioners shall abide by the other conditions stipulated in Section 482(2) of Bharatiya Nagarik Suraksha Sanhita, 2023.

7. Accordingly, the Criminal petition is allowed.

Miscellaneous applications, if any pending, shall stand closed.

K. SUJANA, J

Date: 11.12.2024

gv

52

THE HONOURABLE SMT JUSTICE K. SUJANA

CRIMINAL PETITION No.14841 of 2024

Date: 11.12.2024

gv

