

**THE HONOURABLE SMT. JUSTICE K. SUJANA**

**CRIMINAL PETITION No.15160 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, 4 and 6 in Crime No.222 of 2024 of Mohammadabad Police Station, Mahabubnagar.

2. The brief facts of the case are that on 09.10.2024, at 19.00 hours, the *de-facto* complainant lodged a report alleging that he and petitioners/accused are agnates and he has one acre agricultural land in Sy.No.57 situated in outskirts of his village and since few years there were disputes between him and the petitioners/accused in respect of path way for the petitioners/accused to go to their land through hid land. Though, the village elders advised the accused No.1 to use boundary of the land of *de-facto* complainants' path instead of going through the land of *de-facto* complainant, accused No.1 did not listen the same and used to quarrel with *de-facto* complainant. On 27.09.2024, accused No.1 again picked up quarrel with *de-facto* complainant and on the same accused

No.1 beat him with stones and caused injuries on his back and again on 28.09.2024, accused Nos.2 to 6 criminally trespassed into the house of *de-facto* complainant with sticks and iron rods and attacked him, for which he received bleeding injuries on his back and thighs. Hence, a case was registered vide Crime No.222 of 2024 before the Mohammadabad Police Station, Mahabubnagar, for the offences punishable under Sections 331(6), 118(1) read with 3(5) of BNS.

3. Heard Sri D.Amarender 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 entire investigation is completed and only formal filling of charge-sheet is awaited. He *lastly* submitted that previously, anticipatory bail applications of the petitioners *vide* Crl.M.P.No.338 of 2024 was dismissed by the III Additional District and Sessions Judge, Mahabubnagar, on 26.11.2024,

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 injuries are grievous in nature and the investigation is not yet completed, therefore, granting of bail to the petitioners at this stage does not arise. Hence, he prayed the Court to dismiss the criminal petition.

6. This Court considered the submissions from both the parties and perused the material available on record. The medical certificates submitted by the learned Additional Public Prosecutor, shows that the *de-facto* complainant and other victims sustained similar injuries and remaining accused arrested and released on bail. Pertinently, the disputes arose between the parties with regard to land and material part of the investigation is completed. 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.Mahammadabad, 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 condition 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.

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**K. SUJANA, J**

Date: 24.12.2024

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