

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.34 of 2025

ORDER:

This Criminal Petition is filed under section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 for granting of pre-arrest bail to the petitioners/accused Nos.1 and 2 in Crime No.325 of 2024 of Bichkunda Police Station, Kamareddy.

2. The brief facts of the case are that when the *de-facto* complainant asked the accused persons to return the amount as the said land is not patta land, besides refusing to repay the amount, they also threatened him with dire consequences by abusing him in filthy language. Hence, a case was registered vide Crime No.325 of 2024 before the Bichkunda Police, Kamareddy, for the offences punishable under Sections 318(4), 316(2), 351(3) read with 3(5) of the BNS and Section 175(3) of the BNSS.

3. Heard Sri V.Rohith, 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-State.

4. Learned counsel for the petitioners submitted that the petitioners are innocent and they are no way concerned with

the alleged offences. He further submitted that though the land dispute is civil nature, a criminal case was registered against the petitioners with false and fabricated allegations only to harass the petitioners. He also submitted that the petitioners are residents of Bichkunda Mandal, Kamareddy District, with movable and immovable properties and are willing to furnish sureties as directed. Hence, he prayed the Court to grant anticipatory bail to the petitioners.

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 anticipatory bail to the petitioners, at this stage, does not arise. Hence, he prayed the Court to dismiss the criminal petition.

6. Having regard to the submissions made by both the parties and a perusal of the material placed on record, it is apparent that the punishment prescribed for the offences alleged against the petitioners is less than seven (07) years. It is noteworthy that the disputes between the parties are civil in nature. It is pertinent to note that 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. Bichkunda, Kamareddy, within two weeks from today, and on such surrender, the said Station House Officer shall release them 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 10 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 and co-operate with the Investigating Officer in investigating the case.

Miscellaneous applications, if any pending, shall stand closed.

K. SUJANA, J

Date: 09.01.2025
gms

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