

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.1186 of 2025

ORDER:

This Criminal Petition is filed for grant of pre-arrest bail to the petitioner, who is arrayed as accused No.1 in Crime No.23 of 2025 of Abdullapurmet Police Station, Rachakonda Commissionerate.

2. The brief facts of the case are that on 08.01.2025, de facto complainant lodged a complaint against the petitioner and other accused, regarding alleged encroachment of government land in Abdullapur Village. According to the complaint, the land, bearing Sy.No.242 and admeasuring 66.06 acres, is classified as "Sarkari Poramboke" (government land) as per village revenue records for the year 1954-55. It is alleged that Madagoni Sriramulu and others are attempting to encroach on this land, having illegally obtained house numbers for a total area of 2592 square yards.

3. Heard Sri Baskula Athik, learned counsel representing Sri B. Srinivas, learned counsel appearing on behalf of the

petitioner as well as Sri Syed Yasar Mamoon, learned Additional Public Prosecutor appearing on behalf of respondent – State.

4. Learned counsel for the petitioner submitted that the present case is falsely foisted against the petitioner. He further submitted that the petitioner purchased plot Nos.17, 19, 20, and 21, total admeasuring 1244.11 square yards in Sy.No.242/4, Abdullapurmet Village and Mandal, Ranga Reddy District. He contended that the vendor of the petitioner had purchased the land in the year 1985 and held a General Power of Attorney (GPA) since 1993. Thereafter, the land was assigned to Srinivasa Rao, an ex-serviceman, in the year 1992, and he subsequently sold parts of the land to third parties. The vendor of the petitioner, G. Veeraiah Chowdary, held a GPA and sold the land to the petitioner through a registered sale deed. The petitioner has been in peaceful possession of the land since 1999, but the Tahsildar falsely assumed otherwise, relying on outdated records from 1954-55. Therefore, he prayed the Court to grant pre-arrest 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

petitioner stating that the subject lands are the Government lands. The petitioner without verifying the records sold the lands to third parties and causing loss to the Government. Therefore, at this stage, granting of pre-arrest bail to the petitioner does not arise. Hence, he prayed the Court to dismiss the criminal petition.

6. Upon consideration of the submissions made by both the learned counsel and a review of the material available on record, it is evident that the petitioner purchased the property on June 18, 1999, from his vendor, supported by valid documents and a legitimate sale consideration. In view of these facts and circumstances, this Court deems it fit to grant pre-arrest bail to the petitioner subject to the following conditions:

- i. The petitioner shall surrender before the Station House Officer, Abdullapurmet Police Station, Rachakonda Commissionerate, 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 petitioner 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.

- iii. The petitioner shall appear before the concerned Investigating Officer on every Monday between 09:00 a.m, and 05:00 p.m., till the filing of the charge sheet and thereafter, as and when required.

7. Accordingly, this Criminal Petition is allowed.

Miscellaneous applications, if any pending, shall stand closed.

K. SUJANA, J

Date: 13.02.2025
SAI

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