

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.1615 of 2025

ORDER:

This Criminal Petition is filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023, for granting of pre-arrest bail to the petitioners/accused Nos.1 and 2 in Crime No.497 of 2024 on the file of the Matwada Police Station, Warangal.

2. The brief facts of the case are that having acquaintance with the *de-facto* complainant, the accused persons borrowed Rs.40,00,000/- by executing registered title deed and issued post dated cheques. However, when the *de-facto* complainant asked to repay the said amount, the accused persons failed to repay the same. Thereafter, it came to know that the accused persons executed a forged title deed. Hence, a case was registered *vide* Crime No.497 of 2024 before the Matwada Police, Warangal, for the offences punishable under Sections 351(2), 318(4), 336(3) and 340(2) of the BNS.

3. Heard Sri. U.Shanthi Bhushan Rao, learned counsel appearing on behalf of the petitioners as well as Sri Syed

Yasar Mamoon, learned Additional Public Prosecutor appearing on behalf of the respondent-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 though there is no corroborative evidence, the petitioners were implicated in the present case with false and fabricated allegations. He *thirdly* submitted that though the punishment prescribed for the alleged offences is below seven years. He *lastly* submitted that the petitioners are residents of Warangal 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, *prima facie*, it is apparent that the punishment prescribed for the

alleged offence against the petitioners is less than seven (07) years. 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 Matwada Police Station, Warangal District, 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: 12.02.2025
gms

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