

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.2239 of 2025

ORDER:

Seeking the Court to enlarge the petitioner/accused in Crime No.12 of 2025 of Luxettipet Police Station, Mancherial, on bail, the present Criminal Petition is filed.

2. The brief facts of the case are that the accused besides damaging the paddy crop by illegally trespassing the *de-facto* complainant's agriculture fields, also threatened the *de-facto* complainant with dire consequences by abusing him in filthy language. Hence, a case was registered *vide* Crime No.12 of 2025 before the Luxettipet Police, Mancherial, for the offences punishable under Sections 329(3), 324(4), 292, 351(2) of the BNS and Sections 3(1)(r)(s), 3(2)(va) of the SC/ST (POA) Act.

3. Heard Sri S.Surender Reddy, learned counsel appearing on behalf of the petitioner as well as Sri Syed Yasar Mamoon, learned Additional Public Prosecutor appearing on behalf of the respondent-State.

4. Learned counsel for the petitioner *firstly* submitted that the petitioner is innocent and he is no way concerned with the alleged offences. He *secondly* submitted that there is land dispute between the parties. He *thirdly* submitted that all the

material witnesses were examined, and further detention of the petitioner is unnecessary. He *fourthly* submitted that the petitioner has been in judicial custody since 29.01.2025, causing undue hardship to his family. He *fifthly* submitted that the petitioner is resident of Hyderabad, with movable and immovable properties, and is willing to furnish sureties as directed. He *lastly* submitted that previously, bail application of the petitioner *vide* Crl.M.P.No.93 of 2025 was dismissed by the Special Judge for Trial of Cases under the SC/STs (POA) Act-Cum-II Additional Sessions Judge, Adilabad, without valid reasons and prayed the Court to grant bail to the petitioner 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 investigation is not yet completed, therefore, granting bail to the petitioner, at this stage, does not arise. Hence, he prayed the Court to dismiss the criminal petition.

6. After considering submissions from both the parties and reviewing the record, it is apparent that there is land dispute between the parties. Hence, since the petitioner is languishing in jail from 29.01.2025 and also material part of investigation

is completed, this Court deems it fit to grant bail to the petitioner subject to the following conditions:

- i. The petitioner shall execute a personal bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) each, with two sureties for a like sum each to the satisfaction of the Judicial First Class Magistrate at Luxettipet, Mancherial District.
- ii. The petitioner shall appear before the concerned SHO at 11:00 a.m., on every Monday for a period of eight (8) week or till filing of charge sheet whichever is earlier, for the purpose of investigation, and thereafter, as and when required.
- iii. The petitioner shall abide by the conditions stipulated in Section 437(3) of Cr.P.C.(presently, Section 480(3) of the BNSS).

7. Accordingly, the Criminal petition is allowed.

Miscellaneous applications, if any pending, shall stand closed.

K. SUJANA, J

Date: 21.02.2025
gms

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