

The Hon'ble Sri Justice J.Sreenivas Rao

Criminal Petition No.2934 of 2025

Order:

This Criminal Petition is filed by the petitioner/accused No.1, seeking anticipatory bail under Section 482 of Bharatiya Nagrik Suraksha Sanhita (BNSS), in connection with Crime No.46 of 2025 of Peddapalli Police Station, Ramagundam Commissionerate, registered for the offences punishable under Sections 318(4), 308(5), 351(2), 108 r/w 62 r/w 3(5) of Bharatiya Nyaya Sanhita (BNS).

2. Heard Mr. Rajashekhar Reddy Jejala, learned counsel for the petitioner/accused No.1 and Mr. Syed Yasar Mamoon, learned Additional Public Prosecutor appearing for the respondent/State.

3. The case of the prosecution is that on 25.01.2025 at about 10:00 hours, the Station House Officer, Peddapalli Police Station, received a complaint to the effect that on 04.08.2024,

the petitioner and accused No.2 in the aforesaid crime took an amount of Rs.30 lakhs from the complainant by assuring that that they would provide a job to his son in Singareni Company as they have acquaintance with the Chief Managing Director of the said Company and executed an agreement. However, the petitioner and accused No.2 failed to fulfill their promise and postponed the matter. On repeated requests made by the complainant, the petitioner and accused No.2 paid only an amount of Rs.5 lakhs and when the complainant requested for settlement of the remaining amount, they threatened him with dire consequences. Hence, the complainant attempted to commit suicide by swallowing poison pills and his villagers admitted him in hospital. Basing on the said complaint, the aforesaid Crime was registered against the petitioner and accused No.2 for the aforesaid offences.

4. Learned counsel for the petitioner/accused No.1 submits that the petitioner has not received any amount as alleged in

the aforesaid crime and that he has not committed any offence and he was falsely implicated in the aforesaid crime and that the ingredients of Section 108 of BNS are not at all applicable.

5. Learned counsel further submits that this Court had granted bail to accused No.2 *vide* order dated 18.02.2025 in CrI.P.No.1904 of 2025 and requests that the petitioner herein also be granted anticipatory bail and that the petitioner is ready to cooperate with the investigation and also abide by the conditions that may be imposed by this Court.

6. Per contra, learned Additional Public Prosecutor submits that the investigation is not completed and if the petitioner is enlarged on bail there is every chance of his influencing the witnesses and interfering with the investigation.

7. Having considered the rival submissions made by the learned counsel for the parties and on perusal of the record, this Court is of the *prima facie* opinion that the ingredients of

Section 108 of BNS are not applicable to the case on hand. Even otherwise, the accused No.2 has already been granted bail on 18.02.2025. Therefore, this Court is inclined to grant anticipatory bail to the petitioner/accused No.1 subject to the following conditions:

- (i) Petitioner/accused No.1 is directed to surrender before the Station House Officer, Peddapalli Police Station, on or before 18.03.2025;
- (ii) On such surrender, the Station House Officer of Peddapalli Police Station, shall release the petitioner on bail on his executing a personal bond for a sum of Rs.50,000/- (Rupees fifty thousand only) with two sureties for a likesum each to the satisfaction of the said Officer;
- (iii) On such release, petitioner/accused No.1 shall appear before the Station House Officer, Peddapalli Police station, on every Monday at 11:00 a.m., for a period of eight weeks for the purpose of investigation and thereafter, as and when required for investigation.

(iv) Petitioner/accused No.1 shall abide by the conditions stipulated under Section 438(2) of the Criminal Procedure Code, 1973/ Section 482 of BNSS and shall cooperate with the investigation officer for conclusion of investigation.

8. Subject to the above directions, the Criminal Petition is allowed. No costs.

As a sequel, miscellaneous petitions, pending if any, stand closed.

Date: 11.03.2025
LUR

J.SREENIVAS RAO, J