

THE HON'BLE SRI JUSTICE J. SREENIVAS RAO

CRIMINAL PETITION No. 3551 of 2025

ORDER:

This criminal petition is filed by the petitioners/A1 and A2 under Sections 482 of Bharatiya Nagrik Suraksha Sanhita (BNSS) seeking anticipatory bail in Crime No.190 of 2024 on the file of Boothpur (Annasagar) Police Station, Mahabubnagar, registered for the offence punishable under Section 118(1) read with 3(5) of Bharatiya Nyaya Sanhita (BNS).

2. The case of the prosecution is that on 17.09.2024, respondent No.2 – de-facto complainant lodged a complaint stating that he owns agriculture land admeasuring Acs.7.02 gts., in Sy.No.79 in the limits of Thatiparthi Village and a suit in respect of the said land is pending. On 16.09.2024, at about 1200 hours one Singur Srinivasulu and Singur Shiva Kumar, who are the petitioners herein, went to the said land and cultivating the same. When respondent No.2 asked them as to why they are cultivating in his land, Singur Srinivasulu picked up iron rod from his car and beat on his left hand, as a result, he received bleeding injuries. Thereafter, Shiva Kumar caught hold of him and Srinivasulu beat with iron rod on his left leg, as

a result, his left leg thigh received bleeding injuries. Thereafter, respondent No.2 with the help of his son and wife went to the police station and lodged the present crime.

3. Heard Sri K. Lohit, learned counsel representing M/s. Chandrasen Law Offices for the petitioners and Sri Syed Yasar Mamoon, learned Additional Public Prosecutor for the respondent.

4. Learned counsel for the petitioners submits that the petitioners have not committed the offence and they were falsely implicated in the present crime. Basing on the very same incident, the petitioners have also lodged a complaint against respondent No.2 and others and the same was registered as Crime No.191 of 2024 on 17.09.2024. After completion of investigation, charge sheet was filed and the same was numbered as C.C.No.1115 of 2024 and that there are property disputes between the petitioners and the accused in Crime No.191 of 2024. Respondent No.2 filed a suit in O.S.No.19 of 2018 against petitioner No.1 and others seeking partition of the suit schedule properties on the file of the Special Sessions Judge for Fast Tracking the cases relating to atrocities against Women-

cum-IV Additional District and Sessions Judge, Mahabubnagar, and the said suit was dismissed for non-prosecution. In respect of the very same property dispute, respondent No.2 filed the present complaint with an intention to harass the petitioners. Learned counsel further submits that the petitioners are ready and willing to cooperate with the investigation and also abide by the conditions that are going to be imposed by this Court.

5. Per contra, learned Additional Public Prosecutor submits that the petitioners have committed grave offence and investigation is under progress. Therefore, at this stage, if the petitioners are enlarged on bail, there is every chance of influencing the witnesses and interfering with the investigation.

6. Learned counsel for the petitioners by way of reply submits that the petitioners will not interfere with the investigation nor influence the witnesses and they will cooperate with the investigation.

7. Having considered the rival submissions made by both the parties and after perusal of the material available on record, it reveals that respondent No.2 filed a suit in O.S.No.19 of 2018 against petitioner No.1 and others seeking partition of the suit

schedule properties and the said suit was dismissed for non-prosecution on 24.04.2023. In respect of the very same property disputes, the petitioners and respondent No.2 filed case and counter case and basing on the complaint filed by the petitioners, a case in Crime No.191 of 2024 was registered.

8. Taking into consideration the facts and circumstances of the case, this Court is inclined to grant anticipatory bail on the following conditions:

(1) The petitioners/A1 and A2 are directed to surrender before the Station House Officer, Boothpur (Annasagar) Police Station, Mahabubnagar District, on or before 26.03.2025.

(2) On such surrender, the Station House Officer shall release the petitioners on bail on their executing personal bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousands only) each with two sureties for a like sum each to the satisfaction of the said officer.

(3) On such release, the petitioners/A1 and A2 shall appear before the Station House Officer, Boothpur Police Station on every Monday at 11:00 a.m., for a period of eight (8) weeks or till filing of charge sheet whichever is earlier, for the purpose of investigation and thereafter as and when required for investigation.

(4) The petitioners/A1 and A2 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 investigating officer for conclusion of investigation.

9. Subject to the above directions, the criminal petition is allowed. No costs.

Pending miscellaneous applications, if any, shall stand closed.

JUSTICE J.SREENIVAS RAO, J

Date: 21.03.2025
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