

THE HON'BLE SRI JUSTICE J. SREENIVAS RAO

CRIMINAL PETITION No. 3572 of 2025

ORDER:

This Criminal Petition is filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short, 'BNSS') by the petitioner, who arrayed as accused, seeking anticipatory bail in Crime No.392 of 2024 of Abdullapurmet Police Station, Rachakonda Commissionerate, for the offence punishable under Sections 420 and 409 of the Indian Penal Code (for short 'IPC').

2. Heard Sri D.V.Ramana Sharma, learned counsel, representing Sri Almas Mohammed, learned counsel for the petitioner and Sri Syed Yasar Mamoon, learned Additional Public Prosecutor appearing for respondent-State.

3. The case of prosecution in brief is that on 16.07.2024 at 17.10 hours the *de facto* complainant went to the police station and lodged a complaint alleging that while the petitioner was discharging his duties as Panchayat Secretary (Gr.I), Gram Panchayat, Taramatipet Village, Abdullapurmet Mandal, issued building permission in the absence of technical approval by the HMDA. Basing on the said complaint, initially Crime No.392 of

2024 was registered under Section 420 of IPC and thereafter, Section 409 of IPC was added.

4. Learned counsel for the petitioner submitted that the petitioner has not committed the alleged offence and he has been falsely implicated in the present crime. He further submitted that the petitioner, while discharging his duties as Panchayat Secretary (Gr.I), issued the building permission without technical approval from the competent authority i.e. Hyderabad Metropolitan Development Authority. Basing on the said allegation, the District Collector (P.W), Ranga Reddy District initiated departmental proceedings against the petitioner exercising the powers conferred under the provisions of Telangana State Civil Services (CC&A) Rules, 1991, suspended him from the duties and issued Article of charges through proceedings No.887/2024-A1(Pts), dated: 19.07.2024. Aggrieved by the same, the petitioner approached this Court and filed Writ Petition No.20011 of 2024, wherein this Court granted interim suspension and also directed the respondents therein to reinstate the petitioner into service forthwith. Pursuant to the said order, the petitioner is discharging his duties. If the petitioner is arrested, he will lose his employment. The petitioner is ready to cooperate with the investigation and

he will abide by the conditions, which are going to be imposed by this Court.

5. Learned Additional Public Prosecutor submitted that the investigation is not yet completed and therefore, if the petitioner is granted anticipatory bail, there is every chance to influence the witnesses and to interfere with the investigation.

6. Having considered the rival submissions made by the respective parties and after perusal of the material available on record, it reveals that basing on the very same allegations, the departmental proceedings are initiated against the petitioner, issued charge memo and suspended him from the duties through proceedings No.887/2024-A1(Pts), dated: 19.07.2024. Questioning the same, the petitioner approached this Court and filed Writ Petition No.20011 of 2024, wherein this Court granted interim suspension and also directed respondents therein to reinstate the petitioner into service through order dated 25.07.2024. Taking into consideration the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner with the following conditions:

- (i) Petitioner/accused is directed to surrender before the S.H.O., Abdullapurmet P.S. on or

before 22.03.2025 and on such surrender, he shall be enlarged on bail on his executing a personal bond for a sum of Rs.25,000/- (Rupees Twenty Five thousand only), with two sureties for a like sum each.

- (ii) On such release, petitioner/accused shall appear before the S.H.O., Abdullapurmet Police Station on every Sunday at 11-00 a.m. for a period of eight (8) weeks, for the purpose of investigation, thereafter, as and when required by the police.
- (iii) Petitioner/accused shall abide by the conditions stipulated under Section 482(2) of BNSS and shall cooperate with the Investigating Officer in the investigation.

7. Accordingly, the Criminal Petition is allowed.

As a sequel thereto, miscellaneous applications, if any, pending in this petition stand closed.

JUSTICE J.SREENIVAS RAO

Date: 18.03.2025
pgp