

THE HONOURBLE SRI JUSTICE J. SREENIVAS RAO

CRIMINAL PETITION No. 3943 of 2025

ORDER:

This Criminal Petition is filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS) by the petitioners/accused Nos.7 and 8 seeking anticipatory bail in the event of their arrest in Crime No.79 of 2024 of EOW Cyb(Cyberabad) Police Station, Cyberabad District, for the offences punishable under Sections 318(4), 316(5), 338, 336(3), 340(2) and 61(2) of the Bharatiya Nyaya Sanhita, 2003 (BNS).

2. Heard Mr. Nouman, learned counsel representing Mr. G. Shiva Kumar, learned counsel for the petitioners, and Mr. Syed Yasar Mamoon, learned Additional Public Prosecutor appearing for respondent-State.

3. The case of prosecution in brief is that on 24.01.2024 at 23.45 hours, the police received a petition from one K. Venkat Reddy, Deputy Collector and Tahsildar, Serilingampally Mandal, Ranga Reddy District, through DCP EOW, Cyberabad, stating that he noticed that a document styled as 'Development Agreement-cum-Irrevocable General Power of Attorney' bearing Doc.No.765 of 2024 dated 11.10.2024 has been allowed by the Joint Sub-Registrar, RO, Ranga Reddy District, from the petitioners and other

accused persons in favour of Geek Builders in respect of lands situated at Raidurg Paigah, Serlingampally, Ranga Reddy District, however as per the Dharani Pahani, the lands are Government Lands and are under the control of Telangana Leather Industries Promotion Corporation Limited and the same are prohibited from registration and the same are kept in prohibitory property in IGRS. The petitioners and other accused persons conspired together by creating forged and fabricated documents to grab the valuable government land.

4. Learned counsel for the petitioners submitted that the petitioners have not committed the alleged offences and they were falsely implicated in the present crime. The ingredients of Sections 318(4), 316(5), 338, 336(3), 340(2) and 61(2) of the BNS are not applicable to the facts and circumstances of the case. Further, the Investigation Officer has completed the entire investigation except filing of the charge sheet. In the crime, accused Nos.1 to 6 were arrested and enlarged on bail. The petitioners are ready and willing to cooperate with the investigation and also comply with the conditions, which are going to be imposed by this Court. Hence, the petitioners may be granted anticipatory bail.

5. Learned Additional Public Prosecutor has not disputed that accused Nos.1 to 6 were already enlarged on bail and the

investigation is almost completed. However, the petitioners have committed grave offence and there are specific allegations against the petitioners. If the petitioners are enlarged on anticipatory bail, there is every chance to influence the witnesses and interfere with the investigation. Hence, the petitioner is not entitled for grant of anticipatory bail.

6. This Court considered the rival submissions made by the respective parties and perused the material available on record. According to the learned Additional Public Prosecutor, the investigation is almost completed except filing of the charge sheet and the petitioners have not involved in any other crime. It is not in dispute that accused Nos.1 to 6 were enlarged on bail. Taking into consideration the facts and circumstances case, this Court is inclined to grant anticipatory bail to the petitioners/accused Nos.7 and 8 with the following conditions:

- (i) The petitioners are directed to surrender before the S.H.O., EOW Cyb(Cyberabad) Police Station, Cyberabad, on or before 03.04.2025 and on such surrender, they shall be enlarged on bail on executing personal bonds for a sum of Rs.30,000/-(Rupees thirty thousand only) each with two sureties for a like sum each.
- (ii) On such release, the petitioners shall appear before the S.H.O., EOW Cyb(Cyberabad) Police Station, Cyberabad, on every Monday at 11:00 a.m. for a period of eight (8)

weeks or till filing of the charge sheet, whichever is earlier.

- (iii) The petitioner shall abide by the conditions stipulated under Section 482 (2) of the BNSS and shall cooperate with the Investigating Officer in the investigation.

7. Accordingly, the Criminal Petition is allowed.

Miscellaneous applications, pending if any, shall stand closed.

J.SREENIVAS RAO, J

Date: 26.03.2025

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