

The Hon'ble Sri Justice J.Sreenivas Rao

Criminal Petition No.3977 of 2025

Order:

This Criminal Petition is filed by the petitioner/accused No.22, seeking anticipatory bail under Section 482 of Bharatiya Nagrik Suraksha Sanhita (BNSS), in connection with Crime No.151 of 2024 of Gudihatnoor Police Station, Adilabad District, registered for the offences punishable under Sections 191(2), 132(2), 109 and 324(4) r/w 190 of Bharatiya Nyaya Sanhita (BNS).

2. Heard Mr. Gajanand Chakravarthy, learned counsel for the petitioner/accused No.22 and Mr. Syed Yasar Mamoon, learned Additional Public Prosecutor appearing for the respondent/State.

3. The case of the prosecution is that on 21.12.2024, while the Gudihatnoor Police were patrolling, they found that the accused in the aforesaid crime trespassed into the house of one

Chattla Poshetty, damaged his house articles and set fire to the said house. Hence, the aforesaid Crime was registered against the petitioner/accused No.22 and other accused for the aforesaid offences.

4. Learned counsel for the petitioner/accused No.22 submits that the petitioner has not committed any offence and he was falsely implicated in the aforesaid crime. He further submits that the ingredients of the offences under Section 109 of BNS are not applicable to the petitioner and the other offences are punishable with imprisonment of less than seven years. He further submitted that other accused in the aforesaid crime have already been enlarged on bail by this Court *vide* order dated 06.02.2025 in CrI.P.No.1447 of 2025 and the material part of the investigation is completed except filing of chargesheet. He further submits that the petitioner is a private employee and is eking out his livelihood on the salary and the petitioner be granted anticipatory bail as he is ready and willing

to cooperate with the investigating officer for investigation and abide by the conditions that may be imposed by this Court.

5. Per contra, learned Additional Public Prosecutor submits that the petitioner/accused No.22 committed grave offence and investigation is not yet completed and if the petitioner/accused No.22 is granted anticipatory bail at this stage, there is every chance of his influencing the witnesses and interfering with the investigation. Hence, he prays to dismiss this criminal petition.

6. Learned Additional Public Prosecutor has not disputed grant of bail to the other accused in the aforesaid crime.

7. Having heard learned counsel for the parties and on perusal of the record, it reveals that the petitioner is accused No.22 in the aforesaid crime and all other accused have already been enlarged on bail by this Court *vide* order dated 06.02.2025

in CrI.P.No.1447 of 2025 and material part of the investigation is stated to have been completed.

8. In view of the same, this Court is inclined to grant anticipatory bail to the petitioner/accused No.22 subject to the following conditions:

- (i) Petitioner/accused No.22 is directed to surrender before the Station House Officer, Gudihatnoor Police Station, Adilabad District, on or before 03.04.2025;
- (ii) On such surrender, the Station House Officer of Gudihatnoor Police Station, Adilabad District, shall release the petitioner/accused No.22 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 likesum each to the satisfaction of the said Officer;
- (iii) On such release, petitioner/accused No.22 shall appear before the Station House Officer, Gudihatnoor Police Station, Adilabad District, on every Monday at 11:00 a.m., starting from 07.04.2025 for a period of eight weeks for

the purpose of investigation and thereafter, as and when required by the police for investigation.

(iv) Petitioner/accused No.22 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.

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

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

Date: 26.03.2025
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J.SREENIVAS RAO, J