

THE HON'BLE SRI JUSTICE J. SREENIVAS RAO

CRIMINAL PETITION No.4638 of 2025

ORDER:

This criminal petition is filed by the petitioners/A10 to A13 under Section 482 of Bharatiya Nagrik Suraksha Sanhita (BNSS) for grant of anticipatory bail to them in Crime No. 44 of 2025 of Pulkal Police Station, registered for the offence punishable under Sections 329(3), 109, 352 and 351(2) read with 3(5) of BNS.

2. The case of the prosecution is that the complainant filed a complaint, wherein it is stated that he is a Farm Manager and looking after the agricultural activities of his employer to an extent of Ac.1.30 guntas situated in Sy.No.794. He further stated that Mr. Gongu Goud and others also own land in the very same survey number and recently a dispute arose when Palle Sanjeevaiah, his sons and their relatives attempted to forcefully seize the land of his employer and began installing fencing within Sy.No.794 and that his employer, Murali Krishna, lodged a complaint,

basing on which the Sub-Inspector of Police registered Crime No.44 of 2025 for the above said offences.

3. Heard Sri S.M. Saifulla, learned counsel 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. He further submits that prior to filing of the present complaint, the petitioners and others lodged a complaint against the de-facto complainant on 22.03.2025 and the same was registered as Crime No.41 of 2025 for the offence punishable under Sections 140(2), 109, 127(2), 308(2), 351(3) and 49 read with Section 3(5) of BNS. Thereafter, the de-facto complainant filed the present complaint against the petitioners and other accused as a counter blast to dissolve the disputes between them and the same is not permissible under law. He further submits that the petitioners are not having any criminal antecedents and there are no allegations much less specific allegations against the

petitioners to attract the ingredients of Section 109 of BNS. He 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 investigation is under progress and at this stage, if the petitioners are granted anticipatory bail, they will influence the witnesses and also interfere with the investigation. Therefore, the petitioners are not entitled for grant of anticipatory bail.

6. Having considered the rival submissions made by both the parties and after perusal of the material available on record, it reveals that the petitioners and other accused have lodged a complaint against the de-facto complainant on 22.03.2025 and the same was registered as Crime No.41 of 2025. Subsequently, at the instance of the de-facto complainant, the present crime i.e., Crime No.44 of 2025 was registered against the petitioners and other accused. Even according to the learned Additional Public

Prosecutor, the nature of the injuries sustained by the victim is simple injuries and the petitioners are not having any criminal antecedents.

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

(1) The petitioners/A10 to A13 are directed to surrender before the Station House Officer, Pulkal Police Station, on or before 16.04.2025.

(2) On such surrender, the Station House Officer shall release the petitioners on bail on their executing a 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/A10 to A13 shall appear before the Station House Officer, Pulkal 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/A10 to A13 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. Accordingly, the criminal petition is allowed. No costs.

Pending miscellaneous applications, if any, shall stand closed.

JUSTICE J.SREENIVAS RAO, J

Date: 09.04.2025
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