

THE HON'BLE SRI JUSTICE J.SREENIVAS RAO

CRIMINAL PETITION NO. 4675 OF 2025

ORDER:

This Criminal Petition is filed by the petitioners/A2 and A3, seeking anticipatory bail under Section 482 of Bharatiya Nagrik Suraksha Sanhita (BNSS), in connection with Crime No.52 of 2025 on the file of Kulkacherla Police Station, Vikarabad District, registered for the offences punishable under Sections 109 and 326(g) of BNS.

2. Heard Sri N. Krishna, learned counsel for the petitioners and Sri Syed Yasar Mamoon, learned Additional Public Prosecutor appearing for respondent.

3. The case of the prosecution is that on 14.03.2025 at 17:30 hours one Kadampally Raghavender filed a complaint, wherein it is stated that he sold his land to an extent of Ac.0.32 guntas in Sy.No.299 located at the outskirts of the village to one Balnagar Yadaiah and later one Gathpa Pedda Venkataiah told him that his father sold him 196 square yards of land in the said survey number and conducted a panchayat where the complainant agreed to give money or land to the said Venkataiah. On

13.03.2025 at about 1530 hours Gathpa Sangaiah, s/o. Pedda Venkataiah with an intention to kill him, brought a knife along with and set fire to his house by pouring petrol. When the said Sangaiah entered into the house and tried to kill the complainant, the mother, sister and neighbours of the complainant rescued the complainant from the said Sangaiah. Basing on the said complaint, the present crime has been registered for the above said offences.

4. Learned counsel for the petitioner submits that the petitioners have not committed any offence and they were falsely implicated in the present crime. Even according to the allegations made in the complaint, the entire allegations were leveled against Accused No.1 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 not having any criminal antecedents and they are ready and willing to cooperate with the investigation and also the conditions which are going to be imposed by this Court.

5. Per contra, learned Additional Public Prosecutor submits that the investigation is under progress and at this stage, if the

petitioners are granted anticipatory bail, they will influence the witnesses and interfere with the investigation. Hence, the petitioners are not entitled for grant of anticipatory bail.

6. Having considered the rival submissions made by the respective parties and after perusal of the material available on record, it reveals that the entire allegations were leveled against Accused No.1 and that the petitioners are not having any criminal antecedents.

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

(i) The petitioners/A2 and A3 are directed to surrender before the Station House Officer, Kulkacherla Police Station, Vikarabad District, on or before 16.04.2025;

(ii) On such surrender, the Station House Officer of Kulkacherla Police Station, Vikarabad District, shall release the petitioners/A2 and A3 on bail on 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;

(iii) On such release, the petitioners/A2 and A3 shall appear before the Station House Officer, Kulkacherla Police Station, Vikarabad District, on every Monday at 11:00 a.m., for a period of eight weeks for the purpose of investigation and thereafter, as and when required by the police for investigation.

(iv) The petitioners/A2 and A3 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.

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

Date: 09.04.2025
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J.SREENIVAS RAO, J