

The Hon'ble Sri Justice J.Sreenivas Rao

Criminal Petition No.4736 of 2025

Order:

This Criminal Petition is filed by the petitioners/accused Nos.1 and 2 seeking anticipatory bail under Section 482 of Bharatiya Nagrik Suraksha Sanhita (BNSS), in connection with Crime No.155 of 2025 of Raidurgam Police Station, Cyberabad Commissionerate, registered for the offences punishable under Sections 420, 467, 468 and 471 r/w 34 of the Indian Penal Code, 1860 (IPC).

2. The brief facts of the case are that on 03.02.2025 at about 12:00 hours, the Station House Officer, Raidurgam Police Station, Cyberabad Commissionerate, received a complaint from the Deputy Commissioner, Circle 20, Serilingampally, SLPZ Zone, Greater Hyderabad Municipal Corporation, Hyderabad, stating that one Kasireddy Bhasker Reddy has filed a complaint before them regarding encroachment of park place in Anjaiah Nagar, Gachibowli

village, Serilingampally, Circle 20, GHMC, and requested to take action for removal of encroachments and to protect the open space and on receipt of said complaint, the complainant caused inspection of the site, issued notices to the occupants to produce ownership documents/pattas, if any, and thereafter, on verification of the documents produced by the occupants, they found that some of the occupants have produced fabricated patta documents. Hence, the complainant requested to take action. Based on the said complaint, the aforesaid crime was registered against the accused.

3. Heard Mr. L.Anand, learned counsel representing Mr. Kothapalli Narasimha Reddy, learned counsel for the petitioners/accused Nos.1 and 2 and Mr. Syed Yasar Mamoon, learned Additional Public Prosecutor appearing for the respondent/State.

4. Learned counsel for the petitioners/accused Nos.1 and 2 submits that the petitioners have not committed the offence

and they have been falsely implicated in the present crime. He further submits that even according to the allegations levelled in the complaint, the petitioners purchased the property through registered sale deeds bearing document Nos.14011 of 2019 and 14012 of 2019 on 09.08.2019 by paying valuable sale consideration and since then, they have been in physical possession of the said property and subsequently, they obtained construction permission from GHMC on 01.09.2020 and the entire allegations are levelled against the petitioners are civil in nature and as such, the ingredients of Sections 467, 468 and 471 of IPC are not applicable to the present case. Learned counsel, therefore, prays that the petitioners/accused Nos.1 and 2 be granted anticipatory bail as they are ready and willing to cooperate with the investigation and abide by the conditions that may be imposed by this Court.

5. Per contra, learned Additional Public Prosecutor contended that the petitioners/accused Nos.1 and 2 have

committed grave offence and the investigation is in progress and at this stage, if the petitioners/accused Nos.1 and 2 are granted anticipatory bail, there is every likelihood of their interfering with the investigation and influencing the witnesses and as such, they are not entitled for grant of anticipatory bail.

6. Having considered the respective submissions made by the parties and on perusal of the material available on record, it reveals that the petitioners have been claiming rights over the subject properties by virtue of registered sale deeds bearing document Nos.14011 of 2019 and 14012 of 2019 and building permissions *vide* Permit Nos.3/C20/09314/2020 and 3/C20/09315/2020 dated 01.09.2020 respectively.

7. In view of the same, this Court is inclined to grant anticipatory bail in favour of the petitioners/accused Nos.1 and 2 subject to the following conditions:

- (i) Petitioners/Accused Nos.1 and 2 are directed to surrender before the Station House Officer,

Raidurgam Police Station, Cyberabad
Commissionerate, on or before 17.04.2025;

(ii) On such surrender, the Station House Officer, Raidurgam Police Station, Cyberabad Commissionerate, shall release the petitioners/accused Nos.1 and 2 on bail on each of them 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, petitioners/accused Nos.1 and 2 shall appear before the Station House Officer, Raidurgam Police Station, Cyberabad Commissionerate, 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) Petitioners/accused Nos.1 and 2 shall not interfere with the investigation nor influence the witnesses.

(v) Petitioners/accused Nos.1 and 2 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

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investigation officer for conclusion of
investigation.

8. Accordingly, the Criminal Petition is allowed.

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

Date: 10.04.2025
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J.SREENIVAS RAO, J