

THE HON'BLE SRI JUSTICE J.SREENIVAS RAO

CRIMINAL PETITION No.5377 of 2025

ORDER:

This Criminal Petition is filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short, 'BNSS') by the petitioners/accused Nos.1 and 2, seeking anticipatory bail in Crime No. 46 of 2025 of Huzurnagar Police Station, Suryapet District registered for the offences punishable under Sections 331(3) and 305 of the Bharatiya Nyaya Sanhitha, 2023 (for short 'BNS').

2. Heard Sri V.Ravi Kiran Rao, learned counsel, representing Sri P.Rajagopal Reddy, learned counsel for the petitioners and Sri Syed Yasar Mamoon, learned Additional Public Prosecutor appearing for respondent-State.

3. The case of prosecution in brief is that on 04.03.2025 the *de facto* complainant filed a complaint stating that in the year 2017, he and Pashya Pulla Reddy started electrical works at Huzurnagar, Kodad which comes under Central contract as TSSPDCL IPDS Scheme on the name of Ganesh Enterprises at Miryalguda, which belongs to M.Ranga Reddy, who is the Proprietor of the

said firm. Both of them started work in the month of October, 2017 and completed it on 31.03.2019. The remaining material belongs to the above said work i.e. 55 sq. mm. conductor kept in the godown of Pulla Reddy, which is situated at Teachers Colony. The value of the same is approximately Rs.2,00,000/-. After Pulla Reddy died, they did not saw the said property. On 04.03.2025 when he went to the godown for the property, they broke down the doors and took away the property. When he enquired about it, it was found that the said property was taken by Maligireddy Satyanarayana Reddy, who belongs to Miryalguda with the help of his younger brother Maligireddy Ranga Reddy. Basing on the said complaint, the present crime was registered for the aforesaid offences.

4. Learned counsel for the petitioner submitted 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 ingredients of Sections 331(3) and 305 of BNS are not attracted and there are disputes in respect of the properties and partnership between the petitioners and the *de-facto* complainant. The wife of the petitioner No.2

lodged a complaint against the *de-facto* complainant on 17.03.2023 and basing on the same, crime No.261 of 2023 was registered. He further submitted that petitioner No.1 is working in TGSRTC and if this Court is not granted anticipatory bail to him, he will lose his employment and that the petitioners are is not having any criminal antecedents. The petitioners are ready and willing to cooperate with the investigation pending if any and they will abide by the conditions, which are going to be imposed by this Court. Hence, prayed to grant anticipatory bail to the petitioner.

5. *Per contra*, learned Additional Public Prosecutor submitted that the petitioners have committed a grave offence and the investigation is under progress and therefore, if the petitioners are granted anticipatory bail, they will interfere with the investigation and tried to influence the witnesses and therefore, they 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 there are disputes in

respect of the partnership and properties between the petitioners and the *de-facto* complainant. The record further reveals that wife of petitioner No.2 lodged a complaint against the *de facto* complainant and basing on the same, crime No.261 of 2023 was registered for the offence punishable under Sections 504 and 506 of IPC. Even according to the learned Additional Public Prosecutor, the petitioners are not having any criminal antecedents. Taking into consideration the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners/accused Nos.1 and 2, subject to the following conditions:

- i) The petitioners/accused Nos.1 and 2 are directed to surrender before the S.H.O., Huzurnagar Police Station, on or before 30.04.2025 and on such surrender, the Station House Officer is directed to release the petitioners on bail on each of them executing a personal bond for a sum of Rs.50,000/- (Rupees Fifty thousand only), with two sureties for a like sum each to his satisfaction.
- ii) After release, petitioners/accused Nos.1 and 2 shall appear before the concerned S.H.O. at 11-00 a.m. on every Sunday commencing from 04.05.2025 for a period of eight weeks or till filing of charge sheet, whichever is earlier, for the purpose of investigation and thereafter, as and when required.

- iii) After release, petitioners/accused Nos.1 and 2 shall not interfere with the investigation or influence the witnesses during the course of investigation.
- iv) The petitioners/accused Nos.1 and 2 shall abide by the conditions stipulated under Section 482 (2) of BNSS.

7. Accordingly, the Criminal Petition is allowed.

As a sequel thereto, miscellaneous applications, if any, pending in this petition stand closed.

JUSTICE J.SREENIVAS RAO

Date: 23.04.2025
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