

THE HONOURABLE SRI JUSTICE J. SREENIVAS RAO

CRIMINAL PETITION No.6710 of 2025

ORDER:

This Criminal Petition is filed under Section 482 of Bharatiya Nagarik Suraksha Sanhitha, 2023 (for short 'BNSS') seeking anticipatory bail to the petitioner/accused in Crime No.166 of 2025 on the file of the P.S.Thangallapalli, Rajanna Siricilla District registered for the offences punishable under Sections 420, 465, 468, 471 of Indian Penal Code.

2. The case of the prosecution is that the Tahsildar, Thangallapalli lodged a complaint on 09.05.2025 before the P.S. Thangallapalli alleging that the Petitioner's Meeseva Franchise No.TSRFRA057 at Jillela Village, Thangallapalli Mandal of Rajanna Siricilla has been cancelled by the District Collector vide Proceeding No.D/331/2025 dated 20.02.2025 on the ground that the petitioner has involved in multiple criminal cases and he is not giving meeseva services properly in the village, accordingly, Commissioner ESD has cancelled the meeseva center on 27.02.2025. Questioning the same, the petitioner approached this Court by filing W.P.No.10989 of 2025 while enclosing the TGTS Authorization certificates valid from 29.11.2023 to 31.03.2025 and 29.11.2023 to 31.03.2026. This

Court passed interim orders directing the District Collector and Commissioner ESD to enable the services of the meeseva franchise No.TSRFRA057 and permitted to continue its operations, if the contract of the petitioner is subsisting. It is further alleged that, a mail has sent to TGTS for verification of TGTS authorization certificate which is submitted by the Meeseva VLE in the Court is genuine or not and TGTS has informed that, the license validity period of TGTS is for (1) year only i.e., 01.04.2024 to 31.03.2025. In view of the same, the petitioner cheated the Government by submitting/creating forged copies of TGTS Authorization certificates. Basing on the above said compliant, the P.S. Thangallapalli registered the Crime No.166 of 2025.

3. Heard Sri T.V.Ramana Rao, learned counsel for petitioner and Mr.Syed Yasar Mamoon, learned Additional Public Prosecutor for the respondent-State.

4. Learned counsel for petitioner submitted that petitioner has not forged or fabricated the document and the ingredients under Section 420, 465, 468, 471 of IPC does not attract against the petitioner. Questioning the cancellation of the Meeseva franchise, the petitioner approached this Court and

filed W.P.No.10989 of 2025 and this Court granted interim suspension on 16.04.2025 and the said writ petition is pending and the interim order granted by this Court is continuing. While the things stood thus, at the instance of Tahsildar, Tangallapalli, the concerned SHO registered a crime alleging that the petitioner produced forged and fabricated document in W.P.No.10989 of 2025 and obtained interim order and unless the above said writ petition is decided, the Tahsildar Thangallapalli is not entitled to lodge any complaint and the same is not maintainable under law. Learned counsel further submits that the petitioner is not having any criminal antecedents and is ready and willing to cooperate with the investigation and also ready to abide by the conditions, which are going to be imposed by this Court and hence, prayed for grant of anticipatory bail.

5. *Per contra*, learned Additional Public Prosecutor submitted that petitioner obtained interim order from this Court in W.P.No.10989 of 2025 by producing a forged and fabricated document and the ingredients under Sections 420, 465, 468, 471 of Indian Penal Code are attracted against the petitioner. He further submits that offences levelled against the petitioner are punishable below seven years and the investigation officer is

willing to proceed with the matter, after following the due procedure as contemplated under Section 35(3) of BNS and 41-A of Cr.P.C and the guidelines stipulated by the Hon'ble Apex Court in ***Arnesh Kumar vs State Of Bihar & Anr*** (2014 (8) SCC 273) and hence, prayed to dismiss the petition.

6. Having considered the rival submissions made by the respective parties and after perusal of the material available on record, it reveals that the petitioner approached this Court and filed W.P.No.10989 of 2025 questioning the cancellation of the Meeseva franchise by proceedings dated 20.02.2025 and 27.02.2025 issued by the District Collector, Rajanna Siricilla District and the Commissioner ESD (MEESEVA), Hyderabad and this Court while ordering Notice before Admission suspended the proceedings issued by respondent Nos.2 and 3 and further directed respondent Nos.2 and 3 in the writ petition to enable the services of petitioner's Meeseva franchise and permit to continue its operations, if the contract of the petitioner is still subsisting. Learned counsel for the petitioner submits that petitioner is operating the Meeseva and the interim order granted by this Court is still subsisting.

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

1. The petitioner/accused shall surrender before the Station House Officer of Thangallapalli, Rajanna Siricilla District on or before 19.06.2025, and on such surrender, the said Station House Officer shall release the petitioner/accused on bail on his executing a personal bond for Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties, for the like sum each.
2. The petitioner/accused shall appear before the concerned SHO at 11.00 A.M. on every Monday, 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.
3. The petitioner/accused shall not interfere with the investigation or influence the witness during the investigation
4. The petitioner/accused shall abide by the other conditions stipulated in Section 482 (2) Bharatiya Nagarik Suraksha Sanhitha, 2023.

8. Accordingly, the Criminal Petition is allowed.

Miscellaneous applications, pending if any, shall stand closed.

JUSTICE J.SREENIVAS RAO

Date: 12.06.2025
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