

The Hon'ble Sri Justice J.Sreenivas Rao

Criminal Petition No.6765 of 2025

Order:

This Criminal Petition is filed under Section 482 of the Bharatiya Nagarika Suraksha Sanhita, 2023 (for short, 'BNSS') seeking anticipatory bail to the petitioner/accused No.1 in Crime No.62 of 2025 of Gattu Mandal Police Station, Gadwal District, registered for the offences punishable under Sections 329(3), 119(1), 118(1), 115(2), 352 and 351(2) r/w 3(5) of Bharatiya Nyaya Sanhitha, 2023 (for short 'BNS').

2. The case of prosecution in brief is that on 16.04.2025 at about 20:00 hours, the complainant lodged a complaint, stating that while himself and two other persons were working in their agricultural land, petitioner and some others criminally trespassed into their land and picked up quarrel by threatening and abusing them in filthy language and beat them with sticks. Basing on the said complaint, the present crime is registered for the aforesaid offences.

3. Heard Ms. Srilekha Pujari, learned counsel for the petitioner/accused No.1 and Mr. Syed Yasar Mamoon, learned Additional Public Prosecutor for the respondent-State.

4. Learned counsel for the petitioner submitted that the petitioner has not committed any offence and he was falsely implicated in this case to settle the civil dispute in respect of agricultural land admeasuring Acs.2.00 in Survey No.167 of Garladoddi of KT Doddi Mandal of Jogulamba Gadwal District. She submits that the petitioner purchased the said property through registered sale deed and his name was mutated in the revenue records and pattadar passbook and title deeds were issued in his favour. She further submits that the petitioner along with accused No.2 in the aforesaid crime had earlier approached this Court by filing CrI.P.No.5556 of 2025 and this Court partly allowed the same by granting anticipatory bail in favour of accused No.2 and rejecting the same *qua* petitioner/accused No.1 on the ground that he is accused in nine cases. Learned counsel further submits that offences

levelled against the petitioner in those cases are punishable with imprisonment below seven years and the investigating officers after conducting investigation filed chargesheets and the petitioner was acquitted in one of those cases *i.e.*, C.C.No.935 of 2020 on the file of Judicial Magistrate of First Class, Gadwal, on 24.03.2025. She further submits that the petitioner is eking out his livelihood by doing agriculture and he be granted anticipatory bail as he is ready and willing to cooperate with the investigation and abide by the conditions as may be imposed by this Court.

5. On the other hand, learned Additional Public Prosecutor submitted that specific allegations are levelled against the petitioner and the victim has suffered injuries in the hands of the petitioner and the investigation is under progress. Therefore, if the petitioner is granted anticipatory bail, there is every chance of his influencing the witnesses and interfering with the investigation. Hence, prayed to dismiss the petition.

6. Having considered the rival submissions made by respective parties and after perusal of the material available on record, it reveals that the petitioner specifically mentioned in his affidavit that out of nine cases, one case in C.C.No.935 of 2020 on the file of Judicial Magistrate of First Class, Gadwal, ended in acquittal on 24.03.2025 and in all other cases, the offences levelled against the petitioner are punishable with less than seven years imprisonment. Even according to the instructions furnished by the Sub-Inspector of Police, Gattu Mandal Police Station, Jogulamba Gadwal District, the victim suffered simple injury.

7. In view of the same, this Court is inclined to grant anticipatory bail to the petitioner/accused No.1, subject to the following conditions:

1. The petitioner/accused No.1 shall surrender before the Station House Officer, Gattu Mandal Police Station, Jogulamba Gadwal District, on or before 17.06.2025, and on such surrender, the said Station House Officer shall release the

petitioner/accused No.1 on bail on his executing a personal bond for Rs.50,000/- (Rupees Fifty Thousand only) with two sureties, for a like sum each.

2. On such release, petitioner/accused No.1 shall appear before the Station House Officer, Gattu Mandal Police Station, on every Monday at 11:00 a.m. for a period of eight (8) weeks or till filing of the charge sheet, whichever is earlier, for the purpose of investigation, and thereafter, as and when required.

3. After release, the petitioner/accused No.1 shall not influence the witnesses or interfere with the investigation.

4. Petitioner/accused No.1 shall abide by the conditions stipulated under Section 482(2) of BNSS and shall cooperate with the Investigating Officer in the investigation.

8. Accordingly, the Criminal Petition is allowed.

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

Date: 09.06.2025
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J.SREENIVAS RAO, J