

THE HON'BLE SRI JUSTICE J.SREENIVAS RAO

CRIMINAL PETITION No.6841 of 2025

ORDER:

This Criminal Petition is filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short, 'BNSS') by the petitioner/accused No.5, seeking anticipatory bail in connection with Crime No.47 of 2025 on the file of the Jammikunta Town Police Station, Karimnagar District registered for the offences punishable under Sections 329(3), 324(4), 336(3), 340(2), 351(2), 353 r/w 3(5) of the Bharatiya Nyaya Sanhita, 2023 (BNS).

2. Heard Sri Y.Bala Murali, learned counsel for petitioner and Sri Syed Yasar Mamoon, learned Additional Public Prosecutor appearing for respondent No.1-State.

3. The case of prosecution in brief is that on 04.02.2025 at 13-30 hours the *de-facto* complainant lodged a complaint with the police alleging that accused Nos.1 to 3 forged the officers' signatures and created the fake documents as they are original. Earlier also Katipelli Raju went to jail on the petition of Tahasildar, Jammikunta. Later on 03.01.2025 at 9-00 hours accused Nos.1 to 3 with the help of accused Nos.4 and 5 have

criminally trespassed into the plot in Sy.No.464 situated at Kothapalli of Jammikunta with an intent to occupy the said land, removed the boundary stones, filled the mud in that land and erected the tent. On knowing the same, the complainant went there and asked about their illegal activities, in turn they told that the above said land belongs to them, abused the complainant and further threatened him that they will implicate him in SCs/STs case and further they posted the issue in social media and whatsapp groups by insulting him. Based on the said complaint, present case was registered against the accused for the aforesaid offences.

4. Learned counsel appearing on behalf of the petitioner submitted that the petitioner has not committed any offence and he was falsely implicated in this case and the *de-facto* complainant with an oblique motive to harass the petitioner filed the complainant and all the offences levelled against the petitioner are punishable with imprisonment up to seven years and that the petitioner is ready and willing to cooperate with the investigation and he 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 subsequent to the registration of the present crime, basing on the investigation, the offence under Section 308(6) of BNS was added against the petitioner, which is punishable with imprisonment up to ten years and the investigation is under progress and at this stage, if the petitioner is granted anticipatory bail, he will interfere with the investigation and influence the witnesses. Hence, the petitioner is 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 no specific allegations levelled against the petitioner to attract the offence under Section 308(6) of BNS and except the said offence, all the other offences levelled against the petitioner is punishable with an imprisonment up to seven years only. Even according to the learned Additional Public Prosecutor, the petitioner is not having criminal antecedents.

7. Taking into consideration the facts and

circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner/accused No.5, subject to the following conditions:

- i) The petitioner/accused No.5 is directed to surrender before the S.H.O., Jammikunta Town Police Station, Karimnagar District on or before 30.06.2025 and on such surrender, the Station House Officer is directed to release the petitioner on bail his executing a personal bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousands only), with two sureties for a like sum each to his satisfaction.
- ii) After release, petitioner/accused No.5 shall appear before the concerned S.H.O. at 11-00 a.m. on every Monday for a period of four weeks or till filing of charge sheet, whichever is earlier, for the purpose of investigation and thereafter, as and when required.
- iii) After release, the petitioner/accused No.5 shall not influence the witnesses or interfere with the investigation.
- iv) After release, the petitioner/accused No.5 shall abide by the conditions stipulated under Section 482 (2) of BNSS.

8. 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: 23.06.2025
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