

THE HON'BLE SRI JUSTICE J.SREENIVAS RAO

CRIMINAL PETITION No.7397 of 2025

ORDER:

This Criminal Petition is filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short, 'BNSS') by the petitioner, who is arrayed as accused No.10, seeking anticipatory bail in connection with Crime No.59 of 2025 on the file of the Rajoli Police Station, Jogulamba Gadwal District registered for the offences punishable under Sections 191(2), 191(3), 329(3), 329(4), 324(5), 126(1), 326(g), 115(2), 118(1), 121(1), 132, 126(2), 109, 61(2), 351(3), 352 r/w Section 199 of the Bharatiya Nyaya Sanhita, 2023 (BNS) and Section 7(a) of Criminal Law mendment Act, 2013.

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

3. Learned counsel for the petitioner submitted that the petitioner is not seeking any relief against respondent No.2 in the present application and he was wrongly arrayed as party respondent and therefore, seeks permission to withdraw the present criminal petition

against respondent No.2.

4. In view of the above said submission, the criminal petition against respondent No.2 is dismissed as withdrawn.

5.1 The case of prosecution in brief is that on 04.06.2025 at about 1-30 p.m., the *de-facto* complainant lodged a complaint with the police alleging that he is working as C.E.O. of Gayathri Renewable Aline Industries, Madanapally Town, Chittoor District of Andhra Pradesh, which had obtained permission to construct an Ethanol Factory in Sy.No.74/A/1, 174/1, 174/B1, 174/A2, 174/B2 and 174/A1 at the outskirts of Pedda Dhanwada Village. On the same day, at about 10-00 A.M., some persons including accused No.2, belonging to Pedda Dhanwada Village and nearby villages, formed themselves into an unlawful assembly and criminally trespassed into the company's premises. They allegedly threatened the staff, attacked them with sticks and stones, resulting in bleeding injuries to some of the staff members.

5.2 It is further alleged that the said persons set ablaze few vehicles using petrol and diesel and also damaged

other vehicles and a generator inside the premises, in protest against the construction of the Ethanol Factory at that place, resulting in property loss to the tune of Rs.20,00,000/- to the company. Hence the complaint.

6. Learned counsel appearing on behalf of the petitioner submitted that the petitioner has not committed any offence and he was falsely implicated in the present crime. Even according to the allegations made in the complaint, the ingredients of Section 109 of BNS are not attracted against the petitioner and except the said offence all the other offences are punishable with an imprisonment up to seven years. He further submitted that the very same allegations are levelled against accused Nos.6, 9, 28 to 35, 38 and 40 and they were already released on bail. In respect of accused No.2 also, learned Principal District and Sessions Judge, Jogulamba Gadwal granted anticipatory bail *vide* order dated 17.06.2025 in CrI.M.P.No.112 of 2025. He further submitted that the petitioner is a Government School Teacher and he is not having any criminal antecedents and he 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.

7. *Per contra*, learned Additional Public Prosecutor submitted that the petitioner has committed a grave offence and the investigation is under progress and at this stage, petitioner is not entitled for grant of anticipatory bail.

8. Having considered the rival submissions made by the respective parties and after perusal of the material available on record, it reveals that the very same allegations are levelled against accused Nos.6, 9, 28 to 35, 38 and 40 and they were released on bail on 17.06.2025. The record further reveals that in respect of accused No.2 also, learned Principal District and Sessions Judge, Jogulamba Gadwal granted anticipatory bail *vide* order dated 17.06.2025 in CrI.M.P.No.112 of 2025. Even according to the learned Additional Public Prosecutor, the petitioner is not having criminal antecedents and seventeen witnesses were already examined.

9. Taking into consideration the facts and circumstances of the case, this Court is inclined to grant

anticipatory bail to the petitioner/accused No.10, subject to the following conditions:

- i) The petitioner/accused No.10 is directed to surrender before the S.H.O., Rajoli Police Station, on or before 02.07.2025 and on such surrender, the Station House Officer is directed to release the petitioner on bail on each of them executing a personal bond for a sum of Rs.30,000/- (Rupees Thirty Thousand only), with two sureties for a like sum each to his satisfaction.
- ii) After release, petitioner/accused No.10 shall appear before the concerned S.H.O. at 11-00 a.m. on every Sunday 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, the petitioner/accused No.10 shall not influence the witnesses or interfere with the investigation.
- iv) After release, the petitioner/accused No.10 shall abide by the conditions stipulated under Section 482 (2) of BNSS.

10. 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: 25.06.2025
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