

THE HONOURABLE SRI JUSTICE J.SREENIVAS RAO
CRIMINAL PETITION No.7539 of 2025

Order:

This Criminal Petition is filed seeking anticipatory bail to the petitioner/accused No.12 in Crime No.465 of 2025 of Narsingi Police Station, Cyberabad, registered for the offence punishable under Sections 324(4) and 329(1) of the Bharatiya Nyaya Sanhitha, 2023 (for short 'BNS').

2. The brief facts of the case are that the de facto complainant stated that he purchased the property in Sy.No.159, Narsingi Village, Gandipet Mandal, Ranga Reddy District, through registered sale deeds No. 1716/2025 and 1717/2025 dated 03-02-2025, and is the absolute owner in possession. After registration, adjacent plot owners began encroaching upon his property by extending their boundaries beyond legal limits. On 05-02-2025, the complainant conducted a private survey, which confirmed the encroachment. Despite repeated requests, the adjacent owners have failed to rectify the issue. Basing on the same, the present crime was registered.

3. Heard Mr.N.Bhavani Shankar, learned counsel for the petitioner 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. He further submitted that the defacto complainant purchased the the property in Sy.No.159, situated at Narsingi Village, Gandipet Mandal, Ranga Reddy District, through Registered sale deed dated 03.02.2025. When third party tried to interfere with the said property, the purchaser of the said plot filed suit vide O.S.No.191 of 2025 on the file of the learned III Additional Junior Civil Judge-cum-XXV Additional Judicial Magistrate of First Class, Ranga Reddy District at Rajendranagar, seeking perpetual injunction and along with the said suit they also filed application vide I.A.No.60 of 2025 and the said Court granted ad-interim injunction on 10.04.2025 and the said ad-interim injunction is still in force. He further submitted that the petitioner is ready and willing to cooperate with the investigation and will abide by the conditions, which are going to be imposed by this Court and hence, prayed for anticipatory bail.

5. On the other hand, learned Assistant Public Prosecutor submitted that the petitioner has committed grave offence and the investigation is under progress. Therefore, if the petitioner is granted anticipatory bail, there is every chance to influence the witnesses and to interfere 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 defacto complainant purchased the the property in Sy.No.159, situated at Narsingi Village, Gandipet Mandal, Ranga Reddy District, through Registered sale deed dated 03.02.2025 and the purchaser filed suit vide O.S.No.191 of 2025 on the file of the learned III Additional Junior Civil Judge-cum-XXV Additional Judicial Magistrate of First Class, Ranga Reddy District at Rajendranagar, seeking perpetual injunction and the said Court granted ad-interim injunction on 10.04.2025 in I.A.No.60 of 2025 and it is still in force. Even according to the learned Assistant Public Prosecutor, the petitioner is not having any other criminal antecedents.

7. Taking into consideration the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to petitioner/accused No.12, subject to the following conditions:

- (i) Petitioner/accused No.12 is directed to surrender before the S.H.O., P.S.Narsingi, Cyberabad, on or before 04.07.2025 and on such surrender, he shall be enlarged on bail on his executing personal bonds for a sum of Rs.30,000/- (Rupees thirty thousand only), each with two sureties for a like sum each to his satisfaction.
- (ii) On such release, petitioner/accused No.12 shall appear before the concerned S.H.O., 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.
- (iii) After release, the petitioner/accused No.12 shall not influence the witnesses or interfere with the investigation.
- (iv) Petitioner/accused No.12 shall abide by the conditions stipulated under Section 482(2) of the BNSS and shall cooperate with the Investigating Officer in the investigation.

8. Accordingly, this criminal petition is allowed.

Miscellaneous applications, pending if any, shall stand closed.

J.SREENIVAS RAO, J

Date: 27.06.2025

vsl