

The Hon'ble Sri Justice J.Sreenivas Rao

Criminal Petition No.7768 of 2025

Order:

This Criminal Petition is filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short, 'BNSS') seeking anticipatory bail to the petitioner/accused No.5 in Crime No.30 of 2025 of Mulugu Police Station, Siddipet District, registered for the offences punishable under Sections 420, 409, 464, 466, 468, 471 and 120-B r/w Section 34 of the Indian Penal Code, 1860 (for short 'IPC').

2. The case of prosecution in brief is that on 31.01.2025 at about 10:00 hours, the complainant lodged a complaint, stating that the Central Government sanctioned Rs.135 crores for establishment of Sri Konda Laxman Telangana State Horticultural University, in which 121.75 crores was meant for development works and the remaining for administrative purpose and on 09.06.2016, accused No.4 was appointed as estate officer and on 14.10.2016, the petitioner was appointed as estate officer and during their tenure, they sanctioned the estimates without following proper procedures and proceeded

to conclude the agreement with the tenderer by altering the tender conditions in collusion with the Managing Director, which lead to deviation of original tender document resulting in financial loss to the university and the contractor also played fraud by filing Arbitration Claims based on the altered clauses of agreement and attempted to seek an unjust enrichment and misuse of public resources. Basing on the said complaint, the present crime is registered against the petitioner and other accused for the aforesaid offences.

3. Heard Mr. Salvaji Raja Shekar Rao, learned counsel for the petitioner/accused No.5 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. Learned counsel further submits that originally, the agreement was entered between the University and accused No.1 on 03.09.2016 whereas the petitioner was appointed as Estate Officer on 14.10.2026 and the entire allegations in the complaint pertain to the period prior to his

appointment as such and even as per the complaint, the entire allegations are levelled against other accused and hence, the ingredients of Sections 420 and 409 of IPC are not attracted against the petitioner and all other offences levelled against the petitioner are punishable with imprisonment upto seven years only . He further submits that accused Nos.2, 3 and 7 have already approached this Court by filing Crl.P.No.5301 of 2025 for grant of anticipatory bail and this Court allowed the same on 23.04.2025 and the petitioner is not having any criminal antecedents and he is only an employee 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 the petitioner has committed grave offence and the investigation is in progress and at this stage, if the petitioner is granted anticipatory bail, he may tamper with the evidence and threaten the witnesses. Hence, he prays to dismiss the Criminal Petition.

6. Having considered the rival submissions made by learned counsel for the respective parties and after perusal of the material available on record, it reveals that the very same allegations as levelled against the petitioner herein were levelled against accused Nos.2 , 3 and 7, and this Court granted them anticipatory bail *vide* order dated 23.04.2025 in CrI.P.No.5301 of 2025. Even according to the learned Additional Public Prosecutor, the petitioner is not having any criminal antecedents.

7. In view of the same, 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 shall surrender before the Station House Officer, Mulugu Police Station, Siddipet District, on or before 09.07.2025, and on such surrender, the said Station House Officer shall release the petitioner/accused No.5 on bail on his executing a personal bond for a sum of Rs.50,000/- (Rupees Fifty Thousand only) with two sureties, for a like sum each.
- ii. On such release, petitioner/accused No.5 shall appear before the Station House Officer,

Mulugu Police Station, on every Monday at 11:00 a.m. for a period of four (4) 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.5 shall not influence the witnesses or interfere with the investigation.

iv. Petitioner/accused No.5 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, miscellaneous petitions, pending if any, stand closed.

Date: 02.07.2025
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J.SREENIVAS RAO, J