

THE HONOURABLE SRI JUSTICE J. SREENIVAS RAO

CRIMINAL PETITION No. 7991 of 2025

ORDER:

This Criminal Petition is filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS) by the petitioners/accused Nos.3, 8 and 13 seeking anticipatory bail in the event of their arrest in Crime No.195 of 2025 of Adilabad Rural Police Station, Adilabad District, registered for the offences punishable under Sections 427, 420, 467, 468, 471, 120b, 294-B and 506 read with 149 of the Indian Penal Code, 1860 (for short, 'the IPC')

2. The case of prosecution in brief is that on 18.06.2025, the *de facto* complainant lodged a complaint stating that she is having land to an extent of Ac.5.10 guntas situated at the outskirts of Anukunta village and the said land was purchased by her sister-in-law Kalavathi about 40 years back and her name was also recorded in kastukalam and in pahani since long time. Later, her sister-in-law sold the property to her. In the year 1987, the mother of Yadav Rao, and Seetha Bai filed a case seeking possession and the same was dismissed and thereafter, they filed appeal before the High Court in 2011 and

the same was also dismissed. Thereafter, Kalavathi sold the said land in her favour and got the patta number. When I am in possession of the said land, the petitioners along with accused persons conspired to acquire the said land illegally even after the death of Gaddam Yadav Rao and created fake dependent certificates in favour of the grandchildren of late Gaddam Yadav Rao. After that, all the above said persons illegally entered the land and tried to throw her out from the land and hence she filed case O.S.No.52 of 2021 before the Junior Civil Judge at Adilabad. Though she is in possession of the said land, the accused persons created forged document Nos.205 and 206 of 2020 and threatened her that they will file a case under SC/ST Act against her. Hence, the complaint.

3. Heard Mr. S. Ravi Kiran Reddy, learned counsel for the petitioners, and Mr. Syed Yasar Mamoon, learned Additional Public Prosecutor appearing for the respondent State.

4. Learned counsel for the petitioners submitted that the petitioners have not committed the alleged offences and they were falsely implicated in the present crime. The allegations made in the complaint are purely civil in nature. He further

submitted that there are civil disputes between the petitioners, accused and the *de facto* complainant. To dissolve the said disputes, the *de facto* complainant implicated the petitioners as accused in the present crime. The *de facto* complainant herself filed a suit in O.S.No.52 of 2021 on the file of the Junior Civil Judge, Adilabad, for grant of perpetual injunction and the said suit is pending. He further submitted that accused Nos.1, 2 and 4 to 7 were produced before the concerned Magistrate on 19.06.2025, however, the learned Magistrate has not accepted their remand on the ground that the ingredients of section 447 of the IPC are attracted and the punishment for the said offence is below seven years and granted bail in their favour. The petitioners are also entitled the very same relief. The petitioners are ready and willing to cooperate with the investigation and also abide by the conditions, which are going to be imposed by this Court. Hence, the petitioners may be granted anticipatory bail.

5. *Per contra*, learned Additional Public Prosecutor submitted that the petitioners have committed grave offence and the investigation is under progress. At this stage, if the petitioners are granted anticipatory bail, they will interfere

with the investigation and influence the witnesses. Hence, the petitioners are not entitled to seek anticipatory bail.

6. Having considered the rival submissions made by the respective parties and after perusal the material available on record, it reveals that the *de facto* complainant filed suit in O.S.No.52 of 2021 on the file of the Junior Civil Judge, Adilabad, for grant of perpetual injunction and the same is pending. During the course of hearing, learned counsel for the petitioners produced the docket order dated 19.06.2025 passed by the learned Special Judicial Magistrate of First Class Mobile (PCR) At Adilabad in Cr.No.195 of 2025, wherein the learned Magistrate exercising the powers conferred under Section 60 of the BNSS granted bail to accused Nos.1, 2 and 4 to 7. Even according to the learned Additional Public Prosecutor, the petitioners are not having any criminal antecedents.

7. Taking into consideration the facts and circumstances case, this Court is inclined to grant anticipatory bail to the petitioners/accused Nos.3, 8 and 13 with the following conditions:

- (i) The petitioners/accused Nos.3, 8 and 13 is directed to surrender before the Station House Officer, Adilabad Rural Police Station, Adilabad District, on or before 14.07.2025 and on such surrender, they shall be enlarged on bail on their executing a personal bond for a sum of Rs.15,000/-(Rupees fifteen thousand only) each with two sureties for a like sum each.
- (ii) On such release, the petitioners/accused Nos.3, 8 and 13 shall appear before the Station House Officer, Adilabad Rural Police Station, Adilabad District, as and when required.
- (iii) The petitioners/accused Nos.3, 8 and 13 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, the Criminal Petition is allowed.

Miscellaneous applications, pending if any, shall stand closed.

J.SREENIVAS RAO, J

Date: 07.07.2025

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