

The Hon'ble Sri Justice J.Sreenivas Rao

Criminal Petition No.8087 of 2025

Order:

This Criminal Petition is filed under Section 482 of the Bharatiya Nagarika Suraksha Sanhita, 2023 (for short, 'BNSS') seeking anticipatory bail to the petitioner/accused No.3 in Crime No.338 of 2025 of AJ Mills Colony Police Station, Warangal District, registered for the offences punishable under Sections 292 and 108 r/w 62 r/w 3(5) of Bharatiya Nyaya Sanhitha, 2023 (for short 'BNS') and Sections 3(1)(r)(s) and 3(2)(v) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015 (for short 'the SC/ST (PoA) Act').

2. The case of prosecution in brief is that on 09.06.2025 at about 19:00 hours, the complainant lodged a complaint stating that there is a land dispute between his father (victim) on the one hand and the petitioner/accused No.3 and other accused on the other hand and on 05.06.2025, the petitioner and other accused abused the victim in the name of his caste, insulted him and threatened him with dire consequences if he

approaches them for the land and on 09.06.2025 at around 11:30 a.m., victim attempted suicide by pouring kerosene on his body and setting ablaze and on receipt of information, he shifted the victim with 80% burns to MGM Hospital for treatment. Basing on the said complaint, the aforesaid crime was registered against the petitioner and other accused for the aforesaid offences.

3. Heard Mr. P.Prabhakar Reddy, learned counsel for the petitioner/accused No.3 and Mr. Syed Yasar Mamoon, learned Additional Public Prosecutor appearing for the respondent/State.

4. Learned counsel for the petitioner submits that the petitioner has not committed any offence and he has been falsely implicated in the present crime and even according to the complaint and the remand case diary, the entire allegations are levelled against accused Nos.1 and 2 that accused No.1 purchased an extent of Acs.5.00 guntas of agricultural land out of Acs.1.20 guntas in Khila Warangal, Urs Shivar, from the father of the victim through registered sale deed by paying

valuable consideration long back and since then he has been in possession and enjoyment of the same and his name has also been mutated in the revenue records, but however, accused Nos.1 and 2 are holding the entire extent of land and when the victim demanded for return of the remaining extent of land, accused Nos.1 and 2 refused and at that juncture the deceased committed suicide and the ingredients of Section 108 of BNS are not attracted against the petitioner. He further submits that accused No.1 in the aforesaid crime was enlarged on regular bail *vide* order dated 09.07.2025 passed by the Court of the learned II Additional District Judge and Sessions Judge, Warangal, in Crl.M.P.No.211 of 2025 and accused No.2 in the aforesaid crime was granted anticipatory bail on medical grounds *vide* order dated 09.07.2025 passed by the Court of the learned II Additional District and Sessions Judge, Warangal, in Crl.M.P.No.217 of 2025, and the petitioner has no criminal antecedents and anticipatory bail be granted to him as he is ready and willing to cooperate with the investigation and abide by the conditions as may be imposed by this Court.

5. Per contra, learned Additional Public Prosecutor submits that the petitioner/accused No.3 has committed grave offence and specific allegations are levelled against the petitioner and other accused that they instigated the victim to commit suicide and hence, the ingredients of Section 108 of BNS are not attracted against the petitioner. He further submitted that the investigation is at the threshold and if the petitioner is granted anticipatory bail this stage, he will interfere with the investigation and influence the witnesses. Hence, he prays to dismiss this 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 father of the complainant sold an extent of Acs.5.00 guntas of agricultural land out of Acs.1.20 guntas in Khila Warangal, Urs Shivar, to accused No.1, who in turn sold the same to accused No.2, but accused Nos.1 and 2 are holding the entire extent of Acs.6.20 guntas of land and the only allegation levelled against the petitioner is that he constructed compound wall in Ac.0.14

guntas of land and has not allowed the complainant or his father to enter the said land.

7. At this stage, learned counsel for the petitioner submits that the petitioner has constructed the compound wall in his own land and he has not purchased any land from either the father of the complainant or accused Nos.1 and 2.

8. Even according to the learned Additional Public Prosecutor, 10 witnesses were already examined and the petitioner is not having any criminal antecedents. Accused Nos.1 and 2 in the aforesaid crime have already been granted bail.

9. Taking into consideration the aforesaid facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner/accused No.3, subject to the following conditions:

- i. The petitioner/accused No.3 shall surrender before the Station House Officer, A.J.Mills Police Station, Warangal District, on or before 19.07.2025, and on such surrender, the said Station House Officer shall release the petitioner/accused No.3 on bail on his executing

a personal bond for Rs.30,000/- (Rupees Thirty Thousand only) with two sureties for a like sum each.

ii. On such release, petitioner/accused No.3 shall appear before the Station House Officer, A.J.Mills Police Station, Warangal District, on every Tuesday commencing from 22.07.2025 at 11:00 a.m. for a period of six (6) 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.3 shall not influence the witnesses or interfere with the investigation.

iv. Petitioner/accused No.3 shall abide by the conditions stipulated under Section 482(2) of BNSS and shall cooperate with the Investigating Officer in the investigation.

10. Accordingly, the Criminal Petition is allowed.

As a sequel, miscellaneous petitions, pending if any, stand closed.

Date: 14.07.2025
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J.SREENIVAS RAO, J