

THE HON'BLE SRI JUSTICE J.SREENIVAS RAO

CRIMINAL PETITION No.8110 of 2025

ORDER:

This Criminal Petition has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short, 'BNSS') by the petitioner/accused No.1, seeking anticipatory bail in connection with Crime No.228 of 2025 on the file of the Suryapet II Town Police Station, Suryapet District registered for the offences punishable under Sections 61(2), 109 and 351(2) of the Bharatiya Nyaya Sanhita, 2023 (BNS).

2. Heard Mr.Kiran Palakurthi, learned counsel for the petitioner and Mr. Syed Yasar Mamoon, learned Additional Public Prosecutor appearing for respondent-State.

3. The case of prosecution in brief is that on 28.06.2025 at 00-10 hours the *de facto* complainant has filed a complaint with the police alleging that he owns Ac.3-00 of land in Sy.Nos.156/2 and 159/1/2 at Raghavapuram Village and his paternal uncle Bhiksham also owned Ac.3-00 of land adjacent to his land. About five years ago, his uncle sold his land to Vangala Kiran Goud of Nalgonda Town and since then he has been

harassing them frequently. Two years ago, he started threatening him and his family members, demanding them to sell their land and upon their refusal, he stated that he will kill him and his family or hire men to eliminate them and forcibly take over the land. On 26.06.2025 and on 27.06.2025, he received multiple calls to his cell and tried to obtain his address. Furthermore, some individuals contacted his work place at Mahindra Showroom and on 27.06.2025 at around 8-00 p.m., a swift car bearing No. TS 07 HN 6126, wherein five individuals arrived at the showroom, covered the number plate with a black sticker and they appeared to be waiting to kill him. However, on noticing the same, he along with his relatives and showroom staff took them along with their vehicle to the police station. Upon checking the car, they found wooden sticks, bottles and other suspicious objects. Based on the said complaint, the present crime was registered for the aforesaid offences.

4. Learned counsel for 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

Sections 61(2) and 109 of BNS are not attracted against the petitioner and the petitioner has not present at the scene of offence and basing on the confession statement given by the other accused, the petitioner was falsely implicated in the present crime. He further submitted that the petitioner has purchased the land to an extent of Ac.3-00 from the senior paternal uncle of the *de facto* complainant and the petitioner never insisted the *de facto* complainant to alienate his property as alleged in the complaint. The nature of allegations made in the complaint, are purely civil in nature. The petitioner is running a stone crusher and he is not having criminal antecedents. The petitioner 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.

5. *Per contra*, learned Additional Public Prosecutor submitted that at the instance of the petitioner only, the other accused attempted to commit the offence against the *de facto complainant* and there are specific allegations against the petitioner to attract the ingredients of Section 109 of BNS and the investigation is under progress.

Therefore, if the petitioner is granted anticipatory bail, he will tamper the evidence, interfere with the investigation and influence the witnesses. Hence, the petitioner is not entitled for grant of anticipatory bail.

6. Having considered the rival submissions made by the respective parties and after perusal of the material available on record, the specific allegation against the petitioner is that he purchased the land covered by Sy.Nos.156/2 and 159/1/2, which was purchased from the senior paternal uncle of the *de facto* complainant. The specific contention of the learned counsel for the petitioner is that the petitioner never insisted the *de facto* complainant to alienate his property. Even according to the learned Additional Public Prosecutor, accused Nos.2 to 6 were arrested and ten witnesses were already examined and the petitioner is not having any criminal antecedents. Learned counsel for the petitioner submitted that accused Nos.7 and 8 were also taken into custody by the police.

7. Taking into consideration the above facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner/accused No.1, subject to the following conditions:

- i) The petitioner/accused No.1 is directed to surrender before the S.H.O., Suryapet II Town Police Station, on or before 19.07.2025 and on such surrender, the said Station House Officer is directed to release the petitioner/accused No.1 on bail on his executing a personal bond for a sum of Rs.50,000/- (Rupees Fifty Thousands only) each, with two sureties for a like sum each to his satisfaction.
- ii) After release, petitioner/accused No.1 shall appear before the concerned S.H.O. at 11-00 a.m. on every Tuesday commencing from 22.07.2025 for a period of eight (8) 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.1 shall not interfere with the investigation and not influence the witnesses.
- iv) After release, if the petitioner indulges in similar offence and violates any of the above conditions, the respondent-State is granted liberty to file application seeking cancellation of bail.
- v) The petitioner/accused No.1 shall abide by the conditions stipulated under Section 482 (2) of BNSS.

8. 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: 14.07.2025
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