

THE HON'BLE SRI JUSTICE J.SREENIVAS RAO

CRIMINAL PETITION No.8150 of 2025

ORDER:

This Criminal Petition has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short, 'BNSS') by the petitioners/accused Nos.1 and 2, seeking anticipatory bail in connection with Crime No.218 of 2025 on the file of the Manakondur Police Station, Karimnagar District registered for the offences punishable under Sections 115(2), 118(1), 292, 329(3), 324(4), 351(2) r/w 3(5) of the Bharatiya Nyaya Sanhita, 2023 (BNS).

2. Heard Mr.T.Rahul, learned counsel for the petitioners and Mr. Syed Yasar Mamoon, learned Additional Public Prosecutor appearing for respondent-State.

3. The case of prosecution in brief is that on 09.06.2025 at 07.30 hours the *de facto* complainant has filed a complaint with the police alleging that accused Nos.1 and 2 criminally trespassed into the way of the complainant's house at Vannaram and tried to damage the way by ploughing through their tractor and his parents tried to stop them, and on that both of them

attacked his parents and beat them with iron rod. On noticing the same, his sister Revathi tried to rescue his parents and she was also beaten by them and they also damaged her cell phone and abused them in filthy language and threatened them with dire consequences due to the land dispute. Based on the said complaint, the present crime was registered for the aforesaid offences.

4. Learned counsel for the petitioners submitted that the petitioners have not committed any offence and they were falsely implicated in the present crime. He further submitted that there are pathway dispute pending between the petitioners and the *de facto* complainant and to resolve the said dispute, the petitioners were falsely implicated. He further submitted that initially the crime was registered for the offences punishable with imprisonment of below seven years. However, at the instance of the *de facto* complainant, police altered the offence under Section 118(1) to 118(2) of BNS, though the ingredients of Section 118(2) of BNS are not attracted against the petitioners. The petitioners are doing agriculture and they are not having criminal antecedents. The petitioners are ready and willing to cooperate with the

investigation and they will abide by the conditions, which are going to be imposed by this Court. Hence, prayed to grant anticipatory bail to the petitioners.

5. *Per contra*, learned Additional Public Prosecutor submitted that the petitioners have committed the grave offence and the victim has sustained grievous injuries in the hands of the petitioners and the investigation is under progress. Therefore, at this stage if the petitioners are granted anticipatory bail, they will tamper the evidence, interfere with the investigation and influence the witnesses. Hence, the petitioners are 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, it reveals that the petitioners and the *de facto* complainant are neighbours and there are property dispute pending between them in respect of easementary rights. Even according to the learned Additional Public Prosecutor, the petitioners are not having any criminal antecedents.

7. Taking into consideration the above facts and

circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners/accused Nos.1 and 2, subject to the following conditions:

- i) The petitioners/accused Nos.1 and 2 are directed to surrender before the S.H.O., Manakondur Police Station, on or before 19.07.2025 and on such surrender, the said Station House Officer is directed to release the petitioners/accused Nos.1 and 2 on bail on their executing a personal bond for a sum of Rs.30,000/- (Rupees Thirty Thousands only) each, with two sureties for a like sum each to his satisfaction.
- ii) After release, petitioners/accused Nos.1 and 2 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 petitioners/accused Nos.1 and 2 shall not interfere with the investigation and not influence the witnesses.
- iv) After release, if the petitioners/accused Nos.1 and 2 indulges in similar offence, the respondent-State as well as the *de facto* complainant granted liberty to file application seeking cancellation of bail.
- v) The petitioners/accused Nos.1 and 2 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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