

THE HON'BLE SRI JUSTICE J.SREENIVAS RAO

CRIMINAL PETITION No.8285 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.10, seeking anticipatory bail in connection with Crime No.1180 of 2025 on the file of the Narsingi Police Station, Cyberabad Commissionerate registered for the offences punishable under Sections 318(4), 338, 336(3), 340(2), 319(2) and 62 r/w 61(2) of the Bharatiya Nyaya Sanhita, 2023 (BNS).

2. Heard Mr.N.Bhavani Sankar, 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 18.06.2025 at 15:30 hours, a complaint was received from Kalle Anjaneyulu, Sub-Registrar of Narsingi, stating that on 17.06.2025, during office hours, a person named Baddula Santhosh Kumar approached him with a "Deed of Release of Mortgage" for registration, along with a letter allegedly from the Municipal Commissioner authorizing one Sri Cheedella Shiva Nageshwar Rao to present the

document. Upon scrutiny, the complainant requested the presence of the authorized person and identifying witnesses, but the individual attempted to take back the document. The complainant, suspecting forgery after noticing discrepancies in the Commissioner's signature, sent the letter to the Municipal Commissioner via WhatsApp, who confirmed that the signature was forged and the document was fake. While the complainant was in communication with the Commissioner, Baddula Santhosh Kumar fled away from the office. No one else came to pursue the registration, though a challan had been paid in the name of Smt. Neeraja Devuluri, who never visited the office. The forged documents included an Occupancy Certificate, a fake authorization letter, and a forged ID card. It was alleged that Ch. Shiva Nageshwar Rao had forged official documents, impersonated a Government official, and attempted to release the mortgage deed unlawfully. 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 or in the remand case diary, there are no specific allegations levelled against the petitioner to attract the ingredients of Section 338 of BNS and the petitioner has not forged or created any document. The only allegation made in the complaint against the petitioner is that accused No.1 taken the help of the petitioner, though he has not provided any help to accused No.1. He further submitted that accused Nos.1 to 4 were arrested and subsequently they were enlarged on bail on 04.07.2025. The petitioner is a senior citizen 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 the petitioner and other accused have committed the grave offence and they forged the signature of the Municipal Commissioner, Narsingi and created the document and produced the same before the Sub-Registrar Office, Narsingi and tried to keep the Mortgage Deed, especially the property belong to LW.3 and the

investigation is under progress. Therefore, at this stage, 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, it reveals that the only allegation levelled against the petitioner is that accused No.1 had taken the help of the petitioner. There is no specific allegation levelled against the petitioner to attract the ingredients of Section 338 of BNS. Except the said offence, all the other offences levelled against the petitioner are punishable with an imprisonment below seven years. Even according to the learned Additional Public Prosecutor, the petitioner is not having any criminal antecedents. Learned counsel for the petitioner during the course of hearing submitted that accused Nos.1 to 4 were arrested and they were enlarged on bail.

7. Taking into consideration the above said facts and circumstances, this Court is inclined to grant anticipatory bail to the petitioner/accused No.10, subject

to the following conditions:

- i) The petitioner/accused No.10 is directed to surrender before the S.H.O., Narsingi 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.10 on bail on his executing a personal bond for a sum of Rs.30,000/- (Rupees Thirty Thousands only), with two sureties for a like sum each to his satisfaction.
- ii) After release, petitioner/accused No.10 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.10 shall not interfere with the investigation and not influence the witnesses.
- iv) After release, if the petitioner/accused No.10 indulges in similar offence, the respondent-State is granted liberty to file application seeking cancellation of bail.
- v) The petitioner/accused No.10 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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