

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.10338 of 2025

ORDER:

This Criminal Petition is filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of pre-arrest bail to the petitioners, who are arrayed as accused Nos.1 and 2 in Crime No.78 of 2025 of Indravelly Police Station, Adilabad District.

2. The brief facts of the case are that on 24.05.2025, the complainant lodged a report before the Police against the petitioners stating that he owned a tin house measuring about 33 x 66 feet beside the Radha Krishna Temple at Indravelly. He further stated that one Goude Bipin Kumar and Mesram Anand Rao questioned how he could have such a house and demanded Rs.20,000/- for registering the tin house in his name. When he refused to pay, in the year 2024, the said persons filed a case against him in the LTR.

3. Heard Sri Hussain Aamir, learned counsel appearing on behalf of the petitioners as well as Sri Syed Yasar Mamoon,

learned Additional Public Prosecutor appearing on behalf of the respondent - State.

4. Learned counsel for the petitioners submitted that the allegations against the petitioners were false, fabricated, and made with a malicious intention to harass them and that the complaint had no basis and did not attract the provisions of law under which the crime was registered, as the allegations were vague and lacked any material to constitute an offence under Section 308(5) of BNS. He further submitted that the petitioners were tribal activists working for the welfare of tribes in Adilabad District and were being falsely implicated due to questioning non-tribals constructing houses in the agency area, which is governed by special land laws.

5. Learned counsel for the petitioners contended that filing such cases could not amount to extortion and that similar cases with identical allegations, including Crime Nos.77 and 79 of 2025 at Indravelly Police Station, had been filed against the petitioners, in which they were already granted anticipatory bail. He further contended that the petitioners were innocent, living with their families, had no criminal

antecedents apart from the recent cases, and were law-abiding citizens. Since the petitioners were the sole breadwinners, their arrest would cause severe hardship, and they were ready to furnish sureties to the satisfaction of the Court. Therefore, he prayed the Court to grant pre-arrest bail to the petitioners by allowing this criminal petition.

6. On the other hand, learned Additional Public Prosecutor opposed the submissions made by the learned counsel for the petitioners stating that there are similar cases filed against the petitioners and there are serious allegations against the petitioners. He further submitted that the investigation was not yet completed. At this stage, granting of pre-arrest bail to the petitioners does not arise. Therefore, he prayed the Court to dismiss the criminal petition.

7. In light of the submissions made by both learned counsel and upon perusal of the material available on record, the allegations against the petitioners are that they demanded money. Further, as seen from the record, the material part of the investigation has been completed. It is also noted that the petitioners are tribal activists and have been implicated in

multiple cases with identical allegations, and in similar cases, they have already been granted anticipatory bail. Considering these circumstances, along with the fact that the petitioners are the sole breadwinners of their families and have no criminal antecedents apart from the recent cases, this Court deems it fit to grant pre-arrest bail to the petitioners, subject to the following conditions:

- i. The petitioners shall surrender before the Station House Officer, Indravelly Police Station, Adilabad District, within two weeks from today, and on such surrender, the said Station House Officer shall release them on bail on executing a personal bond for Rs.25,000/- with two sureties, for the like sum each.
- ii. The petitioners shall abide by the other conditions stipulated in Section 482(2) of Bharatiya Nagarik Suraksha Sanhita, 2023 and co-operate with the Investigating Officer in investigating the case.
- iii. The petitioners shall appear before the concerned Investigating Officer on every Monday between 09:00 a.m, and

05:00 p.m., till the filing of the charge sheet and thereafter, as and when required

8. Accordingly, this Criminal Petition is allowed.

Miscellaneous applications, if any pending, shall stand closed.

K. SUJANA, J

Date: 20.08.2025
SAI

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