

THE HONOURABLE SMT JUSTICE K. SUJANA

CRIMINAL PETITION No.11383 of 2025

ORAL 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.330 of 2025 before the Narsampet Police Station, Warangal District.

2. The brief facts of the case are that the complainant, Dornala Kalavath, alleged that she and her husband approached Accused A1, Gujja Sujatha, for a loan of Rs. 10,00,000/- and mortgaged their land worth the same amount. Later, they again approached Accused A1 for a loan of Rs. 20,00,000/-, and she demanded that they mortgage their house and land in her daughter's name, Accused A2, Gouravelli Swathi. On July 12, 2024, Accused A1 and A3 prepared a document, which the complainant later discovered was a sale deed, not a mortgage, and despite their refusal to sign, Accused A1 threatened to harm their son, Gouravelli Swathi, and A3 facilitated the registration of the house and land in Accused A2's name. The complainant signed the documents under duress, fearing for her son's safety, and Accused A1 subsequently refused to provide the loan amount, leading to the filing of the complaint. On receipt of the

complaint, the police registered case against the accused for the offences as alleged. Aggrieved thereby, this criminal petition is filed.

3. Heard Sri Veera Babu Gandu, learned counsel for petitioner, and Sri Arun Kumar Doddla, learned Additional Public Prosecutor for respondent-State.

4. Learned counsel for the petitioner submitted that the petitioners are innocent women with good reputation in their village, who are falsely implicated in a case by the complainant. He further submitted that the police, at the instance of the complainant, registered a false case against the petitioners and are attempting to arrest them, which would cause irreparable harm to their reputation and liberty. He asserted that the petitioners are law-abiding citizens with permanent residence and avocation in their village, and there is no likelihood of them absconding or avoiding trial. Therefore, prayed this Court to grant pre-arrest bail to the petitioners by allowing this criminal petition.

5. On the other hand, learned Additional Public Prosecutor vehemently opposed the submissions made by learned counsel for petitioner, stating that there are several victims in the hands of the petitioners and in the present case the sections were altered, adding Section 308(5) of BNS. He stated that arrest card was issued to the

petitioner in the morning itself, as such, he prayed this Court to dismiss this criminal petition. However, learned counsel for the petitioners, replied to the said contention, stating that arrest card was issued only on the ground of grudge as the learned Additional Public Prosecutor requested for reaching of matter during morning session of the Court, and thereafter, submitted to the Court that arrest card is filed.

6. Having regard to the rival submissions made, and on going through the material placed on record, it is noted that in spite of anticipatory bail being granted by this Court in similar matters, the investigating Officer issued arrest card against the petitioners. Further, the date of alleged transactions is 12.07.2024 but the report was filed on 26.08.2025 i.e., nearly after passage of one year. That apart, an alteration memo was also filed stating that there is extortion, but immediately after the incident, the complainant has not filed any report before the police regarding the same. That apart, it is noted that the petitioners have filed civil suit before the concerned Court, and the sale documents of the same are before the concerned Court, as such, this Court is of the view that custodial interrogation of the petitioners, is not required.

7. In view thereof, this Court observes that even though the matter was passed over in the morning session and at request of

learned counsel for petitioners, the learned Additional Public Prosecutor was directed to inform the investigating Officer to not remand the petitioners, in spite of the same, the investigating Officer issued arrest cards. Therefore, considering these series of incidents, and considering the fact that arrest cards are issued against the petitioners, this Court is inclined to direct the investigating Officer to release the petitioners ***forthwith***, subject to the following conditions:

- i. The petitioners shall execute a personal bond for Rs.25,000/- each (Rupees Twenty Five Thousand only), with two sureties, for the like sum each, to the satisfaction of the Station House Officer, Narsampet, Warangal District.
- 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.

8. Accordingly, this Criminal Petition is allowed.

Miscellaneous applications, if any pending, shall stand closed.

K. SUJANA, J

Date: 08.09.2025
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