

THE HONOURABLE SMT JUSTICE K. SUJANA

CRIMINAL PETITION No.11460 of 2025

ORAL ORDER:

This Criminal Petition is filed before this Court for grant of pre-arrest bail to the petitioners, who arrayed as accused Nos.5 to 8 in connection with FIR dated 10.05.2025 in Crime No.636 of 2025 before Vanasthalipuram Police Station, Rachakonda Commissionerate, registered for the offences punishable under Sections 338, 318(4), 336(3), 340(2) read with 3(5) of BNS.

2. The case of the prosecution is that on 10.05.2025, the *de-facto* complainant, Revenue Divisional Officer, Ibrahimpatnam Division filed a report lodged a complaint stating that, based on a petition submitted by residents of Injapur village, the Tahsildar (LPC of Endowments) conducted a field inspection and submitted a report. In connection with this, the Commissioner of the Endowments Department requested that a criminal case be filed against the concerned individuals for the creation of a fake ORC on endowment lands, and accordingly, requested the police to take necessary

action against Accused Nos. 1 to 8. On receipt of the said complaint, a case was registered against the petitioners, for the offences as alleged. Aggrieved thereby, this Criminal Petition is filed seeking anticipatory bail of the petitioners.

3. Heard Sri N. Ravi, learned counsel for petitioners, and Sri Arun Kumar Doddla, learned Additional Public Prosecutor, appearing for respondent – State.

4. Learned counsel for petitioners submitted that the petitioners are innocent of the alleged offences and that Accused Nos.1 to 4 had offered to sell agricultural lands measuring Ac.37-09 guntas, situated in various survey numbers of Ravanapally Village and pursuant to this offer, the petitioners agreed to purchase the said lands, and accordingly, Accused Nos.1 to 4 executed an agreement of sale dated 09.03.1994, subsequently, the petitioners submitted an application before the Revenue Divisional Officer (RDO), Ranga Reddy East Division, seeking issuance of an Occupancy Rights Certificate (ORC), the RDO issued orders dated 22.07.1998, granting the ORC in favour of the petitioners and the petitioners are bona fide purchasers of the said property and have no connection with the alleged forgery. He further

submitted that the petitioners had previously been implicated in Crime No.899 of 2021 based on the same allegations, which was later closed as a false case, as such the present allegations, being identical, amount to double jeopardy and that the petitioners have no criminal antecedents and have been falsely implicated in the present matter. Therefore, he prayed the Court to allow the criminal petition, granting the relief of anticipatory bail to the petitioners.

5. On the other hand, the learned Additional Public Prosecutor filed a counter, vehemently opposing the submissions made by the learned counsel for the petitioners, contending that there were civil allegations against the petitioners, stating that they had created a false ORC and had occupied temple land. It is further contended that although an earlier case had been filed against the petitioners, it had not been properly investigated and consequently, a protest petition was filed before the trial Court, which remained pending till date and that the allegations against the petitioners were grave in nature and that the investigation was still ongoing. Therefore, he prayed that the Court dismiss the criminal petition.

6. Having regard to the rival submissions of both the learned counsel and upon a perusal of the material available on record, it is observed that the primary allegation against the petitioners is that they created forged documents, which were allegedly used by them to occupy temple land. It is further noted that a report was previously lodged by devotees on 02.11.2021 in Crime No.899 of 2021, based on similar allegations. The petitioners had approached this Court in that matter and were granted protection and subsequently, the Investigating Officer closed the said case due to lack of evidence, and a protest petition filed in that regard is still pending before the trial Court. The present complaint, filed by other victims through the Revenue Divisional Officer (RDO), is based on the same set of allegations and in view of the fact that the allegations are repetitive in nature and the earlier case was closed for want of evidence, the custodial interrogation of the petitioners is not warranted at this stage. Therefore, this Court finds it appropriate to grant anticipatory bail to the petitioners, subject to the following conditions:

- i. The petitioners shall surrender before
the Station House Officer,
Vanasthalipuram Police Station,

Rachakonda Commissionerate, within two weeks from today, and on such surrender, the said Station House Officer shall release them on bail, on petitioners executing a personal bond for Rs.25,000/- (Rupees Twenty Five Thousand only), 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 Wednesday between 09:00 a.m, and 05:00 p.m., till the filing of the charge sheet and thereafter, as and when required.

7. Accordingly, this Criminal Petition is allowed.

Miscellaneous applications, if any pending, shall stand closed.

K. SUJANA, J

Date: 18.09.2025
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