

THE HONOURABLE SMT JUSTICE K. SUJANA

CRIMINAL PETITION No.11478 of 2025

ORAL ORDER:

This Criminal Petition is filed before this Court for grant of pre-arrest bail to the petitioner who is arrayed as accused in Crime No.748 of 2025 before the Shamirpet Police Station, Medchal-Malkajgiri District, registered for the offence punishable under Sections 329(3), 324(4), 351(2), 303(2) read with 3(5) of BNS.

2. The case of the prosecution is that the complainant lodged a report stating that the petitioner, along with his associates had entered into his ancestral property and attempted to occupy the land and damaged it and also committed theft of few instruments. On receipt of the said complaint, the Police registered crime against the petitioner, implicating him as accused. Aggrieved thereby, this Criminal Petition is filed.

3. Heard Sri P.Krishna Prakash, learned counsel for petitioner, and Sri Syed Yasar Mamoon, learned Additional Public Prosecutor, appearing for respondent – State.

4. Learned counsel for petitioner submitted that the Petitioner is a law-abiding citizen belonging to a reputed family and has been falsely implicated in the present crime. He contended that this is not the first case registered against the petitioner with similar allegations and that previously crime Nos.741 of 2024 and 575 of 2025 were also registered against the petitioner basing on similar allegations. He further contended that even though it was stated that injunction was granted before the civil Court, no petition was filed before the civil Court for breach of injunction, and instead, the complainant is filing reports against the petitioner in one after the other manner. He asserted that the offences alleged against the petitioner are punishable below seven years and earlier the petitioner was served with notice under Section 35 of BNSS. Therefore, while advocating that the petitioner is innocent of the offences as alleged, he prayed this Court to allow the Criminal Petition, granting the relief of anticipatory bail to the petitioner.

5. On the other hand, the learned Additional Public Prosecutor, vehemently opposed the submissions made by learned counsel for petitioner and submitted that petitioner is disturbing the complainant again and again by illegally entering into the property and damaging it. Therefore, prayed this Court to dismiss the Criminal Petition.

6. Having regard to the rival submissions made, on going through the material placed on record, it is noted that the allegations leveled against the petitioner are that he had illegally entered into the property of complainant. It is seen that consecutively crimes were registered against the petitioner over similar allegations and the punishment for the offences as alleged is less than seven years. Considering the facts and circumstances of this case, this Court deems it fit to grant pre-arrest bail to the petitioner, subject to compliance of the following conditions:

- i. The petitioner shall surrender before the Station House Officer, Shamirpet Police Station, Medchal Malkajgiri District, within two weeks from today, and on such surrender, the said Station House Officer shall release petitioner on bail, on him

executing a personal bond for Rs.25,000/- (Rupees Twenty Five Thousand only), with two sureties, for the like sum each.

- ii. The petitioner 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 petitioner 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.

Date: 09.09.2025
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K. SUJANA, J

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