

THE HONOURABLE SMT JUSTICE K. SUJANA

CRIMINAL PETITION No.13209 of 2025

ORDER:

Seeking the Court to enlarge the petitioners, who arrayed as accused Nos.1 to 3 in Crime No.36 of 2024 of Kaleshwaram Police Station, JS Bhupalapally District, on bail, the present petition is filed.

2 . The brief facts of the case are that on 01.06.2024, a *de-facto* complainant lodged a report with the police stating that on 31.05.2024 at about 07:30 hours, his younger brother left their house to visit their grandmother's residence in Maddulapalli village. On 01.06.2024 early hours, the complainant called to verify and came to know that his younger brother had not reached their grandmother's house. Suspecting something was wrong, he began searching for his brother near the Godavari River at Annaram Barrage. During the search, he was informed that his brother might have taken a forest pathway leading to Maddulapalli. He proceeded along the same forest path and discovered a person lying under a tree approximately 10 meters from the trail. Upon closer observation, he identified the person as his younger brother, who had sustained burn injuries on his forehead, eyes, both

palms, and back. He suspected that his brother might have died due to injuries caused by live electric wires installed in the forest area by unknown individuals to kill wild animals, or due to other injuries and requested the police to take necessary action. Upon investigation, it was found that Accused Nos.1 to 6 had installed live electric wires in the forest to kill wild animals. Consequently, Accused Nos.1 to 6 were arrested. Based on the complaint, a case was registered *vide* Crime No. 36 of 2024 for the offence punishable under Section 304-II of the Indian Penal Code (IPC).

3. Heard Sri Kodari Mallikarjun, learned counsel appearing for the petitioners as well as Sri Arun Kumar Doddla, learned Additional Public Prosecutor appearing on behalf of the respondent-State.

4. Learned counsel for the petitioners submitted that the petitioners are innocent of the alleged accusations and that, after a delay of fifteen months, the offence initially registered under Section 174 of the Cr.P.C. was altered to Section 304-II of the IPC. He further submitted that the petitioners have been in custody since 20.09.2025, and a substantial part of the investigation has been completed. Therefore, he prayed the Court to grant bail to the petitioners by allowing this criminal petition.

5. On the other hand, learned Additional Public Prosecutor opposed the submissions made by the learned counsel for the petitioners, contending that the allegations against the petitioners are grave in nature and that they are habitual offenders and in particular, accused No.1 has three other similar cases pending against him. Considering the severity of the offence, the petitioners are not entitled to be released on bail at this stage. Therefore, he prayed the Court to dismiss the criminal petition.

6. In the light of the submissions made by both the learned counsel and upon perusal of the material available on record, it is noted that the allegations against the petitioners pertain to the installation of live electrical wires along a forest pathway to kill wild animals. Further, Accused No.1 is involved in other similar cases, whereas Accused Nos.2 and 3 have no prior criminal history. Considering the facts and circumstances of the case, including the nature of the offence, the stage of investigation, and the period of incarceration, the Court finds it appropriate to grant bail to Accused Nos.2 and 3, while rejecting the bail plea of Accused No.1, subject to the following conditions:

- i. The accused Nos.2 and 3 shall execute a personal bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) each,

with two sureties for a like sum each to the satisfaction of the learned Additional Judicial First Class Magistrate, Jayashankar Bhupalpally District at Bhupalpally.

- ii. The accused No.2 and 3 shall appear before the concerned SHO at 11:00 a.m., on every Monday for a period of eight (8) week or till filing of charge sheet whichever is earlier, for the purpose of investigation, and thereafter, as and when required.
- iii. The accused Nos.2 and 3 shall abide by the conditions stipulated in Section 437(3) of Cr.P.C. (presently, Section 480(3) of the BNSS).

7. Accordingly, the Criminal Petition is partly allowed.

Miscellaneous applications, if any pending, shall stand closed.

Date: 23.10.2025
SS

K. SUJANA, J

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