

THE HONOURABLE SMT JUSTICE K. SUJANA

CRIMINAL PETITION No.13739 of 2025

ORDER:

The present Criminal Petition is filed praying this Court to grant pre arrest bail to the petitioners who are arrayed as accused Nos.1 to 7 in FIR.No.41 of 2025 before the Bodu Police Station, Bhadradi Kothagudem District, registered for the offences punishable under Sections 318(4), 338, 340(1) and 340(2) of BNS.

2. The brief facts of the case are that the complainant inherited 70 acres of agricultural land in Survey No.303/2/157, Gangapuram Village, Tekulapally Mandal, with the land divided among 7 family members. Allegedly, A1-A4 created fake sale deeds on a Rs.50 stamp paper (dated March 16, 2015) claiming purchase of portions of this land (A1: 10 acres, A2: 15 acres, A3: 15 acres, A4: 10 acres in Survey No.303/2/84/16), used for cultivation. In this connection, the petitioners were arrayed as accused for the offences as alleged.

3. Heard Sri P.Kasi Nageshwar Rao, learned counsel for petitioners, and Sri D. Arun Kumar, learned Additional Public Prosecutor appearing for respondent – State.

4. Learned counsel for the petitioners submitted that the petitioners face false, frivolous charges with no prima facie evidence of forgery/cheating against them. He contended that the dispute is purely civil in nature and that petitioner Nos.1 to 3 are lawful buyers/holders. While advocating that petitioners are no way connected to the offences as alleged and are willing to cooperate with the investigation, he prayed this Court to grant anticipatory 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 petitioner stating that there are serious allegations against the petitioners which requires their custodial interrogation. Therefore, he prayed this Court to dismiss the criminal petition, stating that if the relief of anticipatory bail is granted to petitioners, the investigation would be hampered.

6. Having regard to rival submissions made and on going through the material placed on record, it is noted that there are several suits and writ petitions filed pertaining to the dispute between the parties. Therefore, considering the nature of dispute between the parties, this Court deems it fit to grant pre-arrest bail to petitioners, subject to compliance of the following conditions:

- i. The petitioners shall surrender before the Station House Officer, Bodu Police Station, Bhadradri Kothagudem District, within two weeks from today, and on such surrender, the said Station House Officer shall release petitioners on bail, on them executing a personal bond for Rs.25,000/-each, (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: 07.11.2025
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