

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.13715 OF 2025

ORDER :

This criminal petition is filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 by the petitioner who is shown as accused No.2 in the Remand Case Diary seeking anticipatory bail in connection with Crime No.189 of 2025 of Aswapuram Police Station, Bhadravathi Kothagudem District. The offences alleged against the petitioner are under Sections 318 (4), 336(2), 340(2) r/w.3(5) of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS').

2. The facts of the case are that on 08.10.2025, at about 5:00 PM, while conducting vehicle check at Jaggarani X Road in Aswapuram Mandal, the complainant, P. Ramachandra Reddy (A1-898, Aswapuram PS), stopped a suspicious lorry bearing registration number TS 30 TA 6498, which was carrying sand. The driver of the said lorry Nathi Ramulu- shown as A.1 in the FIR and A.4 in the Remand Case Diary, failed to produce valid documents and instead presented a fake delivery document (DD) numbered 02AA 827623. Upon questioning him, he revealed that he had been working as driver for the past one

year under the lorry owner, Survam Sreekanth-A.3, transporting sand from the Telangana State Government's sand ramp to Hyderabad. He further confessed that Karnati Shiva Shankar who was shown as A.2 in the FIR and A.1 in the Remand Case Diary, supervises the loading and unloading of the lorry, had provided him with the fake DD and instructed him to collect sand from the Ramanoojavaram sand ramp. The value of the sand in the lorry was estimated to be approximately Rs.50,000/-. Hence a complaint was lodged against the accused for the above offences.

3. Heard Sri Ch.Ravinder, learned counsel for the petitioner and Sri D.Arun Kumar, learned Additional Public Prosecutor appearing for the respondent-State.

4. The contention of learned counsel for the petitioner is that petitioner was added as accused basing on the confession statement of A.1 without any independent material. He further submitted that the confession of the prime accused that he learnt preparing duplicate way bills and DDs is absolutely false and baseless. It is not the case of prosecution that the alleged DDs or way bills were found in possession of the petitioner herein and that the petitioner has played active role in preparation of alleged bills and DDs. The petitioner is innocent

of the said allegations and he is a heart patient. Hence prayed this Court to grant anticipatory bail to the petitioner.

5. On the other hand, learned Additional Public Prosecutor opposed bail on the ground that the allegations against the petitioner are serious in nature that he taught A.1 how to prepare the fake way bills and DDs and on the advice of petitioner herein, A.1 purchased laptop and colour Xerox machine to prepare fake DDs and way bills and using the forged documents for transporting the sand unlawfully. Hence, prayed this Court not to grant bail to the petitioner and to dismiss this bail application.

6. Having regard to the submissions made and the material on record, the offences alleged against the petitioner are under Sections 318 (4), 336(2), 340(2) r/w.3(5) of BNS. The allegation against the petitioner herein is that A.1 learnt creating fake DDs and way bills from the petitioner herein. It is also informed that petitioner is involved in other case, whereas the only allegation against this petitioner is that A.1 confessed about involvement of this petitioner. Considering the allegations and facts and circumstances of the case, this Court deems it fit to grant bail to the petitioner subject to the following conditions :

- i. The petitioner herein shall surrender before the Station House Officer, Aswapuram Police Station, Bhadradi Kothagudem District, within two weeks from today, and on such surrender, the said Station House Officer shall release the petitioner on bail on his executing a personal bond for Rs.25,000/- (Rupees Twenty five Thousand only) with two sureties, for the like sum each.
 - ii. The petitioner herein shall appear before the concerned SHO at 11:00 a.m., on every Wednesday for a period of eight (8) weeks, for the purpose of investigation and thereafter, as and when required.
 - iii. The petitioner herein shall abide by the other conditions stipulated in Section 482(2) of BNSS and co-operate with the Investigating Officer in investigating the case.
7. Accordingly, the Criminal Petition is allowed.
- Miscellaneous petitions, if any, pending shall stand closed.

Date :04.11.2025
Rds

K. SUJANA, J

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