

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.13759 of 2025

ORDER:

This Criminal Petition is filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of pre-arrest bail to the petitioner, who is arrayed as accused in Crime No.322 of 2025 before the Raghunathapalem Police Station, Khammam District.

2. The brief facts of the case are that a complaint lodged by Thejavath Veeru alleging that the petitioner, Bhukya Krishna, had cheated him by falsely claiming ownership of 12 acres of land at Chinthagurthy village and collecting Rs.3,00,000/- as lease amount. The complainant further alleged that he had cultivated cotton by investing about Rs.7,00,000/- and spent another Rs.1,00,000/- for borewell and electricity, but later the actual landowners objected to his possession. When he questioned the petitioner and sought a refund, he was allegedly threatened.

3. Heard Sri M. Surender Rao, learned Senior Counsel representing Sri GVL Murthy, learned counsel appearing on

behalf of the petitioner as well as Sri D. Arun Kumar, learned Additional Public Prosecutor appearing on behalf of the respondent – State.

4. Learned counsel for the petitioner submitted that the allegations were false, fabricated, and motivated by malice and that the dispute, even if true, was purely civil in nature relating to an agricultural lease and did not constitute cheating or criminal intimidation. The petitioner never received any lease amount from the complainant nor represented himself as the absolute owner of the entire 12 acres. He further submitted that the ingredients of Section 318(4) BNS were not satisfied, as there was no dishonest inducement at the inception of the transaction. He contended that the complaint was a result of influence exerted by a politically powerful person. Therefore, he prayed the Court to grant bail to the petitioner by allowing this criminal petition.

5. On the other hand, learned Additional Public Prosecutor opposed the submissions made by the learned counsel for the petitioner stating that the petitioner involved in three other crimes with the similar allegations. He further submitted that the investigation is at initial stage. At this stage, granting of

pre-arrest bail to the petitioner does not arise. Therefore, he prayed the Court to dismiss the criminal petition.

6. In light of the submissions made by both the learned counsel and upon perusal of the material available on record, it appears that the allegations leveled against the petitioner are under Sections 318(4) and 351(2) of the BNS, which are punishable with imprisonment of less than seven (7) years. As seen from the record, the other crimes also pertain to the same land dispute, and further, the petitioner has already filed a suit before the trial Court. Considering the facts and circumstances of the case, this Court deems it fit to grant pre-arrest bail to the petitioner, subject to the following conditions:

- i. The petitioner shall surrender before the Station House Officer, Raghunathapalem Police Station, Khammam District, within two weeks from today, and on such surrender, the said Station House Officer shall release him on bail on executing a personal bond for Rs.25,000/- 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 Monday 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: 31.10.2025
SAI

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