

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.14031 of 2025

ORDER:

Seeking the Court to enlarge the petitioners-accused Nos1, 3 to 9, 12, 13, 15 to 18, 21 to 32 in POR No.014/05 dated 20.09.2025 on bail, the present petition is filed.

2 . The brief facts of the case are that the petitioners, along with other accused persons comprising 30 women and 20 men, were found engaged in unauthorized bush clearance and tree felling activities. Many among them were armed with deadly weapons such as sickles, axes, sticks, and chilli powder. Despite repeated lawful warnings issued by forest officials, the group openly threatened the officials, used abusive and filthy language, and deliberately obstructed them from performing their official duties. Several individuals in the mob appeared to be under the influence of intoxicants and exhibited aggressive and threatening behavior. Based on these events, the Police registered a case as POR No.014/05. During the investigation, it was revealed that approximately

2.16 hectares of forest land had been damaged and 278 trees were felled, causing an estimated loss of Rs.2,76,199/-.

3. Heard Sri Kodari Mallikarjun, learned counsel appearing for the petitioners as well as Sri D. Arun Kumar, 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 allegations levelled against them and were present in the forest solely to celebrate their traditional festival and that the Police have repeatedly registered cases against the petitioners from 08.08.2025 to 20.09.2025, totaling four FIRs, treating them as habitual offenders. Despite the petitioners having already filed a writ petition, further cases were allegedly foisted upon them, accusing them of being present in forest lands. He further submitted that the petitioners were arrested on 20.09.2025 and have remained in judicial custody since then and that a substantial portion of the investigation has already been completed. Therefore, 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 four cases have been registered against the petitioners *vide* POR No.081/004 dated 08.08.2025, POR No.082/004 dated 10.08.2025, POR No.012/05 dated 03.09.2025, and POR No.014/05 dated 20.09.2025. He further contended that the petitioners are habitual offenders who have repeatedly threatened forest officials and caused damage to forest property despite warnings, as such the petitioners are not entitled to bail and prayed the Court to dismiss the criminal petition.

6. In light of the submissions made by both the learned counsel and upon a perusal of the material available on record, it is evident that the petitioners have been in judicial custody since 20.09.2025. As noted in the remand case diary, prosecution witnesses LWs.1 to 11 have already been examined. Taking into account the overall facts and circumstances of the case, including the nature of the allegations, the stage of investigation, and the period of incarceration, this Court finds it appropriate to grant bail to the petitioners, subject to the following conditions:

- i. The petitioners 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 Judicial First Class Magistrate at Luxettipet.
- ii. The petitioners shall appear before the concerned SHO at 11:00 a.m., on every Monday for a period of eight (4) week or till filing of charge sheet whichever is earlier, for the purpose of investigation, and thereafter, as and when required.
- iii. The petitioners 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 allowed.

Miscellaneous applications, if any pending, shall stand closed.

K. SUJANA, J

Date: 06.11.2025
SS

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