

THE HONOURABLE SMT JUSTICE K. SUJANA

CRIMINAL PETITION No.13984 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-accused No.2, in Crime No.95 of 2025 before the Doma Police Station, Vikarabad District, registered for the offences punishable under Sections 305, 324(5), 329(3) read with 3(5) of the Bharatiya Nyaya Sanhita (BNS), Section 4 of the Prevention of Damage to Public Property Act, 1984 and Section 3 of the Explosive Substance Act, 1908

2. The brief facts of the case are that, on 31.05.2025 the *de-facto* complainant, who is a Naib Tahsildar, lodged a report stating that Accused No.1, Nagireddy, and his supporters had illegally conducted mining operations on government land. Although 10 acres of land had been officially allotted to Accused No.1, they allegedly encroached an additional area of 1 acre and 1 gunta. The complaint further stated that unauthorized explosives were used during the illegal mining activity, resulting in unlawful financial gain through the extraction of natural resources. The complainant requested that appropriate legal action be initiated

against the accused under relevant sections of law for illegal mining, encroachment on government property, unauthorized use of explosives, and financial exploitation. Based on the complaint, a case was registered under Crime No.95 of 2025 for the aforementioned offences.

3. Heard Sri Naraparaju Avaneesh, learned counsel for the petitioner-accused No.2, and Sri Arun Kumar Doddla, learned Additional Public Prosecutor for respondent-State.

4. The contention of the learned counsel for the petitioner is that the petitioner is innocent, has been falsely implicated in the case, and has not committed any offence. He submitted that the petitioner is employed as a supervisor at the quarry operated by Accused No.1 and has no direct role or involvement in its day-to-day operations. The petitioner, being merely an employee acting under the directions of Accused No.1, is unaware of the ownership details, boundaries, or extent of the leased land, and is willing to cooperate with the investigation. Therefore, requested the Court to grant pre-arrest bail by allowing the criminal petition.

5. On the other hand, learned Additional Public Prosecutor vehemently opposed the submissions made by learned counsel for petitioner stating that the petitioner is actively involved in the

alleged offences and that custodial interrogation is necessary. He further contended that granting anticipatory bail at this stage would obstruct the investigation and urged the Court to dismiss the criminal petition.

6. Upon considering the submissions made by both the learned counsel and examining the material available on record, it is noted that the allegations pertain to encroachment of government land to an extent of Ac.1-1 gunta and illegal mining therein, which was concealed during official inspection. Accused No.1 is the leaseholder and prime accused, while others, including the petitioner, are said to have acted under his instructions. However, the custodial interrogation of the petitioner is not required. Considering the facts and circumstances, this Court deems it appropriate to grant pre-arrest bail to the petitioner-accused No.2, subject to the following conditions:

- i. The petitioner-accused No.2 shall surrender before the Station House Officer, Doma Police Station, Vikarabad 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-accused No.2 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-accused No.2 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: 04.11.2025

SS

THE HONOURABLE SMT JUSTICE K. SUJANA

CRIMINAL PETITION No.13984 of 2025

Date: 04.11.2025

SS