

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.14278 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 petitioners, who are arrayed as accused Nos.1, 2, 3, 5, 6 and 7 in Crime No.575 of 2025 before the Adilabad II Town Police Station, Adilabad District.

2. The brief facts of the case are that on 15.10.2025, the de facto complainant, lodged a report before the Police stating that his mother, Vijayamala, had forged his signature, obtained a No Objection Certificate and affidavit through a notary, and mutated their family house at Vidyanagar, Adilabad, into her name. It was further alleged that she later sold the said property to Pushpa Kadam under Sale Deed No. 270/2024 with the help of other accused persons, thereby cheating the complainant.

3. Heard Sri S. Ravi Kiran Reddy, learned counsel appearing on behalf of 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 registration of the case itself was an abuse of process of law and that the police, without conducting any preliminary enquiry, registered the FIR and started harassing the petitioners and that the petitioners were innocent and falsely implicated with mala fide intention, as accused No.5, the mother of the complainant, had lawfully mutated the property in her name with the complainant's consent and thereafter sold it for valid consideration. He further submitted that the offence under Section 467 IPC was not attracted and that the complainant filed the case only to extract money, while the police were threatening to arrest the petitioners. Therefore, he prayed the Court to grant pre-arrest 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 stating that the allegations leveled against the petitioners are serious in nature i.e., the forgery of the signature. Further, the investigation was not yet completed. At

this stage, granting of pre-arrest bail to the petitioners does not arise. Therefore, he prayed the Court to dismiss the criminal petition.

6. In the light of the submissions made by both the learned counsel and a perusal of the material available on record, the dispute in question is predominantly of a civil nature, arising out of the sale of the property by the mother of the de facto complainant without his consent. The allegations pertain to title and ownership of the said property, which can more appropriately be adjudicated before a competent civil forum. Further, the entire material is documentary in nature and the custodial interrogation of the petitioners is not required for the purpose of investigation. Further, there are no specific allegations showing active participation of the petitioners in the alleged forgery, and the major part of the investigation appears to have been completed. Considering the facts and circumstances of the case, this Court deems it fit to grant pre-arrest bail to the petitioners subject to the following conditions:

- i. The petitioners shall surrender before the Station House Officer, Adilabad II Town Police Station, Adilabad District,

within two weeks from today, and on such surrender, the said Station House Officer shall release them on bail on executing a personal bond for Rs.25,000/- 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 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: 07.11.2025
SAI

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