

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.14426 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 No.3 in Crime No.588 of 2025 before the Mavala Police Station, Adilabad District.

2. The brief facts of the case are that on 03.11.2025, the de facto complainant, lodged a report alleging that she had purchased an open plot under valid registered sale deeds, but when she began construction on 30.06.2025, one Guddenla Srinivas obstructed the work and claimed ownership by producing alleged fake Gram Panchayat and municipal receipts. She further stated that an official enquiry conducted by the Municipal Commissioner and Mavala Gram Panchayat reportedly declared the documents produced by Srinivas as fake and fabricated. She also alleged that Srinivas demanded Rs.5,00,000/- through a mediator and dismantled her construction.

3. Heard Sri S. Ravi Kiran Reddy, 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 registration of the crime against the petitioner was an abuse of process and that he had no role or connection with the alleged acts and that the police registered the FIR without conducting any preliminary enquiry and falsely implicated the petitioner only because his name appeared in another case with one of the accused. He contended that the complaint was highly belated and barred by limitation under Sections 468 and 469 Cr.P.C., as the alleged acts pertained to events more than five years old, and the complainant had already pursued civil remedies earlier. Therefore, he prayed the Court to grant pre-arrest bail to the petitioner by allowing this criminal petition.

5. On the other hand, learned Additional Public Prosecutor vehemently opposed the submissions made by learned counsel for petitioner, stating that the allegations leveled

against the petitioner are serious in nature. 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 the light of the submissions made by both the learned counsel and upon a perusal of the material available on record, it appears that whatever contentions were raised by the de facto complainant have already been filed in the suit before the concerned civil Court. It also appears that the petitioner is not a beneficiary of the property, and the only allegation against him is that he created the documents. Further, the investigation is primarily based on documentary evidence, and therefore, custodial interrogation is not necessary. Hence, 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, Mavala Police Station, Adilabad 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: 21.11.2025
SAI

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