

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.15950 of 2024

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.2 in Crime No.83 of 2024 of Chowdariguda Police Station, Cyberabad Commissionerate.

2. The brief facts of the case are that on 27.04.2024, at 20:00 hours, B. Sakram, Sub-Inspector of Police, Chowdarigudem PS, lodged a complaint stating that he received credible information at 16:30 hours about individuals illegally drilling holes into rocks at Thumpally village hillock using a compressor and blasting. Upon investigation, two persons, Vadde Naresh and Vadde Srikanth, were found operating the equipment without valid permission from the Government of Telangana or concerned Authorities, and were subsequently seized along with various items, including detonators, gelatine sticks, and drilling rods. The accused were found to be using explosives without authorization,

posing a risk to life and property, and action is requested according to law.

3. Heard Sri S. Krishna Sharma, learned counsel appearing on behalf of the petitioner as well as Sri Syed Yasan Mamoon, learned Additional Public Prosecutor appearing on behalf of the respondent - State.

4. Learned counsel for the petitioner submitted that the present complaint is false, frivolous, and vexatious, filed with malice to harass and defame accused No.2. He further submitted that the petitioner, a poor agricultural family member, works as a driver and laborer while studying through open school. He contended that the petitioner denies any involvement in the alleged offence, stating he was not present at the scene and has no connection to the crime. The petitioner was attending an exam on the day of the alleged offence and is willing to cooperate with the investigation. He further contended that accused No.1 was released on bail, and this petitioner also stands on the same footing, having no specific allegations against him. Therefore, he prayed the Court to grant pre-arrest bail to the petitioner by allowing this criminal petition.

5. On the other hand, the learned Additional Public Prosecutor opposed the application stating that specific allegations are leveled against the petitioner/accused No.2. He further submits that the investigation in the case is in progress, and if he is released on bail at this stage, he may tamper with the evidence and may commit similar offences, and hence, prayed to dismiss the petition.

6. In the light of the submissions made by both the learned counsel and a perusal of the material available on record, it is apparent that no specific allegations are levelled against the petitioner/accused No.2. In view of the same and since most of the investigation in the case is completed, this Court is of the considered view that it is a fit case for grant of pre-arrest bail, subject to the following conditions:

- i. The petitioner shall surrender before the Station House Officer, Chowdariguda Police Station, Cyberabad Commissionerate, 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: 06.01.2025
SAI

THE HONOURABLE SMT JUSTICE K. SUJANA

CRIMINAL PETITION No.15950 of 2024

Date: 06.01.2025

SAI