

THE HONOURABLE SMT JUSTICE K. SUJANA

CRIMINAL PETITION No.15250 of 2025

ORAL ORDER:

The Criminal Petition is filed praying this Court to grant pre arrest bail to the petitioners who is arrayed as accused Nos.1, 5 to 8 in Crime No.143 of 2025 before the Koyyur Police Station, Jayashankar Bhupalpally District, registered for the offences punishable under Sections 109, 329(3), 324(4) read with 3(5) of BNS.

2. The brief facts of the case are that, on 12.10.2025, the *de facto* complainant lodged a report before the police stating that there were civil disputes pending between the parties and, on the date of the incident, accused Nos.1 to 8 trespassed into his land, threatened him and his son, and attempted to kill them by using an axe and shovel and that the accused pounced on his son, who managed to escape, and thereafter attacked the complainant with an axe, causing injuries to his right hand. Further, the accused demolished the wall in the farm, resulting in damages estimated at Rs.6,00,000/-. Based on this complaint, the police registered a case against the accused for the alleged offences.

3. Heard Sri Bhavaraju Sai Vikas, learned counsel for petitioners, and Sri D. Arun Kumar, learned Additional Public Prosecutor appearing for respondent – State.

4. Learned counsel for the petitioners submitted that the petitioners are innocent of the offence alleged and have been falsely implicated in this case owing to the civil dispute between the parties. Except for the general allegation that the accused assaulted the *de-facto* complainant, there is no specific overt act attributed to accused Nos.2 to 4. He further submitted that these accused have already been arrested and released on bail, and since there are no specific allegations against the petitioners, custodial interrogation is not warranted. Therefore, prayed the Court to grant anticipatory bail to the petitioners by allowing this criminal petition.

5. On the other hand, the learned Additional Public Prosecutor opposed the submissions made by the learned counsel for the petitioners, contending that the petitioners were previously involved in similar offences punishable under Sections 447 and 506 of the IPC, and that all the accused have been implicated in crimes since 2019. He further submitted that the investigation was still at an initial stage, the allegations against the petitioners

were serious in nature, and custodial interrogation was necessary for effective investigation. Hence, he prayed that the Court dismiss the criminal petition.

6. Having regard to the rival submissions and upon perusal of the material placed on record, it is noted that civil disputes exist between the parties in relation to the subject property, and that accused Nos.2 and 4 have already been released on bail as there are no specific allegations against them, while the remaining accused were granted regular bail. In view of these circumstances, this Court is of the opinion that custodial interrogation of the petitioners is not warranted and deems it appropriate to grant pre-arrest bail to the petitioners, subject to compliance with the following conditions:

- i. The petitioners shall surrender before the Station House Officer, Koyyur Police Station, Jayashankar Bhupalpally District within two weeks from today, and on such surrender, the said Station House Officer shall release petitioners on bail, on their executing a personal bond for Rs.25,000/- (Rupees Twenty Five Thousand only), 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 Wednesday 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: 24.11.2025
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