

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.15310 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 in Crime No.469 of 2025 on the file of the Godavarikhani-I town Police Station, Peddapalli, registered for the offences punishable under Sections 142 of the Bharatiya Nyaya Sanhita and Section 41 read with 42 of Juvenile Justice Act.

2. The brief facts of the case for the prosecution are that on 20-09-2025 at 17:00 hours, the complainant lodged a report before the police stating that the accused, the founder-president of Manthan Division Handicapped Welfare Society, has been running a Child Care Institution (CCI) at Gandhinagar, Godavarikhani since 2016. Due to non-compliance with instructions and standards, the Commissioner, Women Development & Child Welfare Department, cancelled the provisional registration No.001/ICPS/JJ Act/2018 and declared the said society unregistered. Meanwhile, the society applied for renewal of registration and the matter is under examination. According to the High Court order in W.P.No.18104/2025, the District Inspection Committee headed by the Additional Collector (Local Bodies) inspected the said home. During the inspection, 4 children were physically

found present, whereas the attendance register recorded 7 children, and the committee did not recommend issuing a licence to the accused. The accused wrongfully concealed the children and illegally housed them without a licence, in violation of the Juvenile Justice Act. Hence, the complainant requested to take necessary action. Basing on the said complaint, the police registered a case for the above said offences.

3. Heard Sri K.Rajashekar, learned counsel appearing on behalf of the petitioner as well as Sri Arun Kumar Doddla, learned Additional Public Prosecutor appearing on behalf of the respondent - State.

4. Learned counsel for the petitioner submitted that the petitioner is innocent and has been falsely implicated in the present case. In fact, based on the order of the Child Welfare Committee, the children were admitted to the petitioner's institution. Only to harass the petitioner, and because the petitioner had filed a writ petition for allotment of land and had made a representation before the concerned authority for implementation of the said order, the petitioner has been falsely implicated in this case due to a grudge. Therefore, 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 submissions made by the learned counsel for the petitioner, stating that the allegations against the petitioner are

serious in nature. Physically disabled children were kept by the petitioner without any lawful authority. As such, custodial interrogation is required. In view of the gravity of the offences, the petitioner is not entitled to anticipatory bail, and therefore the learned Additional Public Prosecutor prayed that the Court dismiss the criminal petition.

6. In light of the submissions made by both learned counsel and upon perusal of the material available on record, it appears that the allegation against the petitioner is that he kept the children without any authority from the concerned department. However, the petitioner has produced documents showing that on 22.03.2025 the alleged children were admitted into his institution based on the request of the competent authority. Considering the said documents and also the orders passed in the writ petition, this Court deems it fit to grant pre-arrest bail to the petitioner/accused, subject to the following conditions:

- i. The petitioner/Accused shall surrender before the Station House Officer, Godavarikhani-I Town, Peddapalli, within two weeks from today, and on such surrender, the said Station House Officer shall release him on bail, on petitioner executing a personal bond for

Rs.15,000/- (Rupees Fifteen Thousand only),
with two sureties, for the like sum each.

- ii. The petitioner/Accused 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 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, the Criminal petition is allowed.

Miscellaneous applications, if any pending, shall stand closed.

Date: 24.11.2025
dsv

K. SUJANA, J

THE HONOURABLE SMT JUSTICE K. SUJANA

CRIMINAL PETITION No.15310 of 2025

Date: 24.11.2025

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