

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.16032 of 2024

ORDER:

This Criminal Petition is filed under section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of pre-arrest bail to the petitioner who is arrayed as accused No.3 in Crime No.343 of 2024 of Jagtial Town Police Station, Jagtial.

2. The brief facts of the case is that the *de-facto* complainant, along with two others, has purchased the subject land i.e., agricultural land in Sy.No.1599 to an extent of 12 guntas, through sale deed document No.4660 of 2011. It is stated that the accused persons are trying to grab the subject land by creating forged and fabricated documents and when the *de-facto* complainant questioned about the same, the accused persons threatened her with dire consequences. Hence, a case was registered vide Crime No. 343 of 2024 of Jagtial Town Police Station, Jagtial, for the offences punishable under Sections 420, 467, 471, 486, 120(b), 506 read with 34 of IPC.

3. Heard Sri K.Venumadhav, learned counsel appearing on behalf of the petitioner as well as Sri Syed Yasar Manoon, learned Additional Public Prosecutor appearing on behalf of the respondent No.1-State.

4. Learned counsel for the petitioner *firstly* submitted that petitioner is innocent and he is no way concerned with the alleged offences. He *secondly* submitted that except confession statement of accused No.1, there are no specific allegations against the petitioner. He *thirdly* submitted that charge sheet was filed vide C.C.No.2167 of 2024 after completion of the investigation. He *lastly* submitted that previously, bail application of the petitioner, *vide* CrI.M.P.Nos.6286, 7704 and 8568 of 2024, was dismissed by this Court, on 24.06.2024, 22.07.2024 and 04.09.2024 respectively on the ground that the investigation is not completed and filing of charge sheet is still pending. Therefore, he prayed the Court to grant of anticipatory bail to the petitioner by allowing this criminal petition.

5. On the other hand, learned Additional Public Prosecutor opposed the submissions made by the learned counsel for the petitioner stating that there is a specific role of this petitioner

in alleged offences and charge sheet also filed after completion of the investigation and therefore, granting bail to the petitioner, at this stage, does not arise. Hence, he prayed the Court to dismiss the criminal petition.

6. After considering submissions of both the parties and material available on record, it is apparent that except Section 467 of IPC, remaining Sections of the petition shows that the punishment prescribed for the offences alleged against the petitioner is less than seven (07) years. It is pertinent to note that charge sheet was filed after completion of the investigation. Therefore, considering the facts and circumstances of the case, this Court is of the considered view that it is a fit case for granting anticipatory bail to the petitioner.

7. Accordingly, this petition is allowed granting anticipatory bail to the petitioner subject to the following conditions:

- i. The petitioner shall surrender before the Station House Officer of P.S.Jagtial, 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 cooperate with the trial proceedings by appearing before the concerned Court whenever his presence is required as the charge sheet is filed before the concerned Court.
- iii. The petitioners shall abide by the other conditions stipulated in Section 482(2) of Bharatiya Nagarik Suraksha Sanhita, 2023.

Miscellaneous applications, if any pending, shall stand closed.

K. SUJANA, J

Date: 02.01.2025
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