

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.13254 OF 2025

ORDER :

This criminal petition is filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioners/A.2, A.10, A.11, A.14 and 20 seeking anticipatory bail in connection with POR No.014 of 2025 of Forest Range Officer, Indenpally Range, Nirmal District. The offences alleged against the petitioners are under Sections 20(i)(ii)(c), 9(d)(iii)(iv) of the Telangana Forest Act, 1967 and under Sections 27, 29, 31 and 51(c) of the Prevention of Damage to Public Property Act, 1984.

2. Heard Sri Kodari Mallikarjun, learned counsel for the petitioners and Sri D. Arun Kumar, learned Additional Public Prosecutor appearing on behalf of the respondent - State.

3. The contention of learned counsel for the petitioners is that all the offences are punishable with below seven years and that the other accused were already remanded to judicial custody and there is apprehension of arrest to the petitioners. He further contended that there is no such encroachment of

forest land by the petitioners. Hence, prayed this Court to grant anticipatory bail to the petitioners.

4. On the other hand, learned Additional Public Prosecutor opposed bail on the ground that petitioners herein are habitual offenders and they are involved in similar offences. As such, prayed this Court to dismiss this petition.

5. Considering the submissions made by both the counsel and material on record, though the petitioners were involved in similar offences, and as all the offences are punishable with below seven years this Court deems it appropriate to direct the petitioners to appear before the Investigating Officer on or before 30.10.2025 between 11:00 a.m. and 05:00 p.m. and in turn the Investigating Officer is directed to follow the procedure laid down under Section 35 (3) of BNSS and also the guidelines formulated by the Hon'ble Supreme Court in ***Arnesh Kumar v. State of Bihar***¹ scrupulously. However, petitioners shall co-operate with the Investigating Officer as and when required by furnishing information and documents as sought by him in concluding the investigation. The petitioners shall file all the

¹ (2014) 8 SCC 273

documents, which they ought to file to prove that it does not come under the criminal offences and the Investigating Officer shall consider the same before filing appropriate report before the Magistrate.

6. Accordingly, the Criminal Petition is disposed of.

Miscellaneous petitions, if any, pending shall stand closed.

Date :23.10.2025
Rds

K. SUJANA, J

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