

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.15334 of 2025

This Criminal Petition is filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner, who is arrayed as accused No.8, in the event of his arrest in connection with FIR No.256 of 2025 of Bhainsa Town Police Station, Nirmal District, registered for the offences punishable under Sections 318(4), 319, 322, 336(2), 340(2), 351, 61(2), 338 r/w 3(5) of the BNS.

2. The brief facts of the case are that, on 07.11.2025, the de-facto complainant lodged a report before the police stating that the petitioner along with other accused executed the registered sale deed and forged the false mutation certificate by impersonating the complainant. Hence, he requested for necessary action. Basing on the said complaint, the police registered a case for the above said offences against accused Nos.1 to 8 and the petitioner herein is arrayed as accused No.8.

3. Heard Sri M. Sharath Shantha Reddy, learned counsel for the petitioner as well as Sri Arun Kumar Doddla, learned Additional Public Prosecutor appearing on behalf of the respondent- State.

4. The contention of the petitioner is that the petitioner is innocent of the said allegations and in the prosecution case, there is no such role played by the petitioner except stating that there is a password and OTP stated by him to the Computer Operator except that, there is no role of the petitioner herein and all the offences are punishable below seven years and the petitioner is at the retirement age and departmental actions are initiated against him and he was not suspended by the company. Therefore, he prayed the Court to grant anticipatory bail to the petitioner.

5. On the other hand, learned Additional Public Prosecutor opposed the submissions made by the learned counsel for the petitioner stating that the petitioner is involved in this crime along with other accused and in this case, the documents were used to give without any proper verification and he also filed counter opposing the pre-arrest bail to the petitioner. Further, the custodial interrogation of the petitioner is required for investigation and prayed the Court to dismiss the criminal petition.

6. In the light of the submissions made by both the learned counsel and upon perusal of the material available on record, it appears that the petitioner is working as Municipal

Commissioner and the confession statement of one of the accused shows that, on the date of the registration of the document, without the signature of the petitioner herein in ownership certificate, they submitted the same before the Registrar and when Sub-Registrar objected the same, they bribed him and got registered the document, wherein, the petitioner has not signed and it is a forged and fabricated document according to the petitioner. Considering the facts and circumstances of the case, this Court deems it fit to grant pre-arrest bail to the petitioner/accused No.8, subject to the following conditions:

- i. The petitioner/accused No.8 shall surrender before the Station House Officer, Bhainsa Town Police Station, Nirmal District, 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/accused No.8 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 No.8 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: 28.11.2025

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