

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.4674 OF 2024

ORDER:

This Criminal Petition is filed by the petitioner/accused No.2 under Sections 437 and 439 of Code of Criminal Procedure, 1973 (for short, 'Cr.P.C.') to enlarge him on regular bail in Crime No.148 of 2023 of Karimnagar Rural Police Station, Karimnagar District, registered for the offences punishable under Sections 467, 420, 409, 447, 506, 120-B, 109 read with Section 34 of Indian Penal Code, Section 3(1)(g, 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015 (for short 'SC & ST Act').

2. The case of the prosecution in brief was that the petitioner herein along with other accused committed criminal conspiracy to obtain illegal gain of the ownership of the land, cheated the *de-facto* complainant by creating artificial sales of the same land, committed forgery of the valuable securities and documents of the *de-facto* complainant and also the accused, who are not belong to Scheduled Casts/Schedule Tribes, threatened the *de-facto* complainant, who belongs to Scheduled Caste, with dire consequences to kill him.

3. Heard learned counsel for the petitioner/accused No.2 and the learned Assistant Public Prosecutor, representing respondent No.1-State.

4. Learned counsel for the petitioner submitted that the petitioner is no way concerned with the allegations of the present crime; since there are cases between the 2nd respondent and other accused, the present complaint is lodged due to enmity; there is no whisper of allegation in the complaint about the abuse in the name of caste of the 2nd respondent/*de-facto* complainant and there are no ingredients pertaining to criminal breach of trust. Hence, prayed to enlarge the petitioner/accused No.2 on bail.

5. Learned Assistant Public Prosecutor submitted that the petitioner is involved in five other crimes during the period from the year, 2005 to 2024; 14 witnesses were examined and the investigation in the present crime is almost completed.

6. Perused the record. According to the submission of learned Assistant Public Prosecutor, since major part of the investigation is completed and the petitioner has been languishing in jail from 26.03.2024, this Court is of the opinion that it is a fit case to enlarge the petitioner on bail.

7. Accordingly, the Criminal Petition is allowed and the petitioner/accused No.2 shall be enlarged on regular bail subject to the following conditions:

(i) The petitioner/accused No.2 shall execute a personal bond for Rs.30,000/- (Rupee Thirty Thousand Only) with two sureties for a like-sum each to the satisfaction of the Special Judge for Trial of Cases under SCs/STs (POA) Act-cum-III Additional District and Sessions Judge, Karimnagar.

(ii) The petitioner/accused No.2 shall comply with the conditions stipulated under Section 437(3) of Cr.P.C. and shall appear before the trial Court on all the dates when his presence is required.

8. Pending Miscellaneous Applications, if any, in this Criminal Petition, shall stand closed.

K.SUJANA, J

Date: 29.04.2024

svl