

THE HON'BLE SMT. JUSTICE K. SUJANA

I.A.NO.2 OF 2024 IN CRIMINAL PETITION NO.6005 OF 2024
AND
CRIMINAL PETITION NO.16048 OF 2024

COMMON ORDER :

I.A.No.2 of 2024 in CrI.P.No.6005 of 2024 is filed seeking relaxation of bail condition i.e., appearing before the Station House Officer, Bhainsa Police Station, on every Tuesday, imposed by this Court by order dated 13.06.2024 in CrI.P.No.6005 of 2024. CrI.P.No.16048 of 2024 is filed by the learned Public Prosecutor seeking cancellation of bail granted to respondents/Accused Nos.1, 6, 9, 12 and 20 to 38.

2. This Court by order dated 13.06.2024, while granting bail directed the petitioners therein to appear before the Station House Officer/Investigating officer on every Tuesday and shall make themselves available for interrogation as and when required by the police concerned, till filing of charge sheet.

3. Heard Sri G.Bhaskar Reddy, learned counsel for the petitioners in I.A.No.2 of 2024 and respondents in CrI.P.No.16048 of 2024 and learned Additional Public

Prosecutor for petitioner in CrI.P.No.16048 of 2024 and respondent in I.A.No.2 of 2024.

4. The contention of petitioners in I.A.No.2 of 2024 is that till now charge sheet is not filed. The petitioners are appearing before the Station House Officer from the date of order i.e., 13.06.2024. Some of the petitioners are having business, some of them are students and employees and it has become difficult for them and causing severe hardship. His further contention is that though prosecution filed petition for cancellation of bail as counter to I.A.No.2 of 2024 for relaxation of conditions, it is not correct to state that after obtaining bail, the petitioners in I.A.No.2 of 2024 are not cooperating with the investigating agency and not appearing before him. In fact, petitioners are attending police station on every Tuesday, but the police are making them to sit in the police station for hours together. As such, petitioners have not violated any conditions imposed by this Court and requested the Court to dismiss CrI.P.No.16048 of 2024 and relax the conditions imposed in CrI.P.No.6005 of 2024 by allowing I.A.No.2 of 2024.

5. On the other hand, learned Additional Public prosecutor opposed the same stating that the petitioners in CrI.P.No.6005 of 2024 are not appearing before the investigating officer, even after the condition imposed by this Court and as a counter case, they filed petition for cancellation of bail vide CrI.P.No.16048 of 2024 stating that these petitioners are not cooperating with the investigating officer. It is further stated that A.38 is involved in nine more cases, A.12 is involved in ten more cases and they violated the conditions imposed in CrI.P.No.6005 of 2024. A.22 along with others involved in Cr.No.234 of 2024 which is subsequent to the present crime, wherein the complainant therein was badly beaten by A.22 and others and another person was kidnapped and was beaten badly. He further submitted that petitioners are causing law and order problem in Bhainsa and also promoting communal disharmony in the village. If the bail is not cancelled it will cause huge damage to the peace and harmony in the village. Therefore, requested this Court to cancel the bail granted to respondents/A.1, 6, 9, 12, 20 to 38.

6. Considering the submissions made by both the counsel and the material on record, after granting bail by this Court in

Crl.P.No.6005 of 2024, A.22 and others involved in Cr.No.234 of 2024 wherein the offences alleged against them are under Sections 109, 137 (2), 115 (2), 351 (2), 191, 192 r/w.190 of BNS. The allegations against other petitioners are that they are not cooperating with the investigating officer, whereas, bail was granted to the petitioners on 13.06.2024 and till today charge sheet is not filed. According to petitioners, they are regularly appearing before the investigating officer. In view of the same, the condition of appearing before the Station House Officer on every Tuesday is relaxed insofar as petitioner Nos.1, 2, 3, 4, 5, 6, 8 to 23 are concerned. Except petitioner No.7/A.22, the remaining petitioners are directed to appear before the Investigating officer on second and fourth Sunday of every month for a period of two months between 11.00 a.m and 5.00 p.m. or till filing of charge sheet whichever is earlier.

7. Accordingly I.A.No.2 of 2024 is allowed insofar as petitioner Nos. 1, 2, 3, 4, 5, 6, 8 to 23 are concerned and dismissed insofar as petitioner No.7/A.22 is concerned.

8. However, as there are no grounds stated by the learned Additional Public Prosecutor to cancel the bail granted on 13.06.2024 in Crl.P.No.6005 of 2024, Crl.P.No.16048 of 2024 is

dismissed. Miscellaneous applications, if any pending, shall stand closed.

K. SUJANA, J

Date :09.01.2025
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