

THE HON'BLE Dr. JUSTICE G. RADHA RANI

CRIMINAL PETITION No.9817 OF 2024

ORDER:

This criminal petition is filed by the petitioners – accused Nos.2 and 3 under Section 483 (1) (b) of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') seeking relaxation of condition No.3 imposed in CrI.M.P.No.1558 of 2024 by the Metropolitan Sessions Judge in Crime No.106 of 2024 on the file of Central Crime Station, DD, Hyderabad, directing the petitioners to appear before the CCS, DD, Hyderabad once in every 15 days i.e., on every second Saturday and fourth Saturday between 9:00 AM and 2:00 PM, till filing of charge sheet.

2. Heard Sri N.Naveen Kumar, learned counsel appearing for the petitioners and learned Additional Public Prosecutor for respondent-State.

3. Learned counsel for the petitioners submitted that the learned Metropolitan Session Judge granted bail to the petitioners on 20.04.2024 and since then the petitioners were appearing regularly as per the condition imposed by the said Court. Thereafter, the petitioners filed W.P.No.10276 of 2023

challenging the action of the Respondent Police in invoking provisions of the Telangana State Protection of Depositors in Financial Establishments Act, 1999 as well as their remand without following the Judgment of the Hon'ble Apex Court in Arnesh Kumar v. State of Bihar. Subsequently, the petitioners also filed CrI.P.No.5357 of 2024, seeking quashment of the FIR and this Court passed order dated 13.06.2024 staying all further proceedings against the petitioners to the extent of Section 5 of the Telangana State Protection of Depositors and Financial Establishment Act, 1999 and the said orders were subsisting as on date. Because of the stay granted by this Court, the respondent/complainant had not filed the charge sheet till today. The condition imposed on the petitioners to appear before the concerned investigating officer till filing of charge sheet has become onerous and hence prayed to relax the condition No.3 imposed vide order dated 20.04.2024.

4. Learned Additional Public Prosecutor submitted that the complainant had sought for cancellation of bail. The *de facto* complainant filed CrI.P.Nos.5254 and 6756 of 2024 seeking cancellation of bail granted to the petitioners and the same was

pending. However, he submitted that the petitioners were complying the conditions and appearing before the SHO regularly.

5. Considering the submissions of both the learned counsel, it is considered fit to dispense with the attendance of the petitioners/accused Nos.2 and 3 subject to the result of the Crl.P.Nos.5254 and 6756 of 2024.

6. In the result, the Criminal Petition is allowed dispensing with the attendance of the petitioners / Accused Nos.2 & 3 subject to the result of Crl.P.Nos.5254 and 6756 of 2024.

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

Dr. G. RADHA RANI, J

Dt: 08.11.2024

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THE HON'BLE Dr. JUSTICE G. RADHA RANI

CRIMINAL PETITION No.13104 OF 2024
Date: 07.11.2024

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