

HON'BLE SMT. JUSTICE JUVVADI SRIDEVI

CRIMINAL PETITION No.11696 OF 2024

ORDER :

Petitioner/accused No.4 has filed this petition under Section 482 of Bharatiya Nagarik Suraksha Sanhitha, 2023 (for short 'BNSS') seeking anticipatory bail in Crime No.404 of 2024 of P.S. Gudimalkapur, Hyderabad, registered for the offences under Sections 140(3), 127(7), 310(2) r/w 3 (5) of BNS.

2. Heard Sri H.Sudhakar Rao, learned counsel for petitioner and Sri M.Ramachandra Reddy, learned Additional Public Prosecutor appearing for the respondent-State and perused the record.

3. The case of the prosecution is that on 10.08.2024, the complainant attended Exhibition at Hitex Madhapur, where accused No.2 had interacted with him, they exchanged their mobile numbers, and on that day he received message from the accused No.2 to come to Mehdiapatnam and shared location and complainant went to the location, at Ayodhya Nagar near Union Bank at about 15.15 hours, accused No.2 sat in his car. After

moving 20 meters forward, about 5 to 6 unknown persons over took his car on their bikes, stopped him, questioned him, saying you are taking a Muslim girl for sex, they asked accused No.2 to get down from car, they sat in his car, asked him to go to Police Station, demanded Rs.20 Lakhs for not telling the matter to anyone and complainant negotiated for Rs.5 Lakhs and afterwards, the accused took his purse, containing Rs.15,000/-, asked him to get ATM withdrawal, took him to ATM, got withdrawn Rs.4,000/- and they took his phone and opened Google pay and made transactions for an amount of Rs.12,500/-, opened Kotak bank application, made transactions for Rs.20,000/- and later complainant arranged Rs.20,000/- from his brother through Google and thus in total Rs.90,500/- was robbed from the complainant and that the accused were identified through CCTV footages.

4. Learned counsel for petitioner submits that the petitioner/accused No.4 is innocent and has been falsely implicated in the case. He further submits that most part of the investigation in the case is completed except filing of charge

sheet. He further submits that the accused Nos.2 and 5 were already enlarged on bail by this Court and hence, prayed for grant of bail.

5. The learned Additional Public Prosecutor opposed the application stating that specific allegations are levelled against the petitioner/accused No.4. He further submits that if the petitioner/accused No.4 is released on bail at this stage, he may tamper the evidence and hence, prayed to dismiss the petition.

6. Having heard both sides and perused the material on record, it is apparent that most part of the investigation in the case is completed except filing of charge sheet and considering the accused Nos.2 and 5 were already enlarged on bail, this Court is of the considered view that it is a fit case for grant of anticipatory bail, subject to the following conditions:

- 1. The petitioner/accused No.4 shall surrender before the Station House Officer of P.S. Gudimalkapur 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.20,000/- with two sureties each for the like sum.**

2. The petitioner/accused No.4 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.

Accordingly, this petition is allowed.

JUVVADI SRIDEVI, J

Date: 04.10.2024

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