

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.13670 of 2024

ORDER:

Seeking the Court to enlarge the petitioners who are arrayed as accused Nos.2 and 3 in Crime No.421 of 2024 of Hanumakonda Police Station, Warangal District, on bail, the present Criminal Petition is filed.

2. The brief facts of the case are that while respondent No.2 working in a fashion designing institute at Visakhapatnam, accused No.1 proposed her and promised to marry her after performing marriage of his sister. Thereafter, accused No.1 took respondent No.2 to his village and introduced her to his family members. Later, respondent No.2 came to know that accused No.1 married another girl. Hence, a case was registered vide Crime No.421 of 2024 before the Hanamkonda Police, Warangal District, for the offences punishable under Sections 69, 318(2), 115(2) and 351(2) read with 3(5) of the Bharatiya Nyaya Sanhita, 2023 (for short 'the BNS').

3. Heard Sri B.Balaji, learned counsel appearing on behalf of the petitioners as well as Sri Syed Yasar Manoon, learned Additional Public Prosecutor appearing on behalf of the respondent-State.

4. Learned counsel for the petitioners submitted that the petitioners seek bail stating that the complaint and remand report lack specific allegations against them, and they were falsely implicated in the case. He further submitted that the investigation is completed, and all the material witnesses were examined, and further detention of the petitioners is unnecessary. He contended that the petitioners have been in judicial custody since 03.10.2024. The allegations are false and fabricated. The petitioners are residents of Mahabubabad, with movable and immovable properties, and are willing to furnish sureties as directed. He further contended that previously, bail application of the petitioners, *vide* CrI.M.P.No.374 of 2024 and CrI.M.P.No.416 of 2024, were dismissed by the I Additional Sessions Judge at Hanumakonda, on 17.10.2024 and 04.11.2024, respectively, without valid reasons. He also submitted that the ingredients of Section 69 of the BNS do not attract to the petitioners.

Therefore, he prayed the Court to grant bail to the petitioners by allowing this criminal petition.

5. On the other hand, learned Additional Public Prosecutor opposed the submissions made by the learned counsel for the petitioners and granting bail to them, at this stage, does not arise. Hence, he prayed the Court to dismiss the criminal petition.

6. After considering submissions from both the parties and reviewing the record, the averments of the petition do not constitute offences under Section 69 of the BNS against the petitioners. Given the substantial completion of investigation and absence of criminal antecedents against the petitioners, this Court deems it fit to grant bail to the petitioners subject to the following conditions:

- i. The petitioners shall execute a personal bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) each, with two sureties for a like sum each to the satisfaction of the II Additional Judicial First Class Magistrate at Hanumakonda.

- ii. The petitioners shall appear before the concerned SHO at 11:00 a.m., on every Monday for a period of eight (8) weeks, for the purpose of investigation, and thereafter, as and when required.
- iii. The petitioners shall abide by the conditions stipulated in Section 437(3) of Cr.P.C.

7. Accordingly, the Criminal petition is allowed.

Miscellaneous applications, if any pending, shall stand closed.

K. SUJANA, J

Date: 18.11.2024
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