

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.13739 of 2024

ORDER:

Seeking the Court to enlarge the petitioners who are arrayed as accused Nos.1 and 2 in Crime No.398 of 2024 of Moinabad Police Station, Cyberabad, on bail, the present Criminal Petition is filed.

2. The brief facts of the case are that despite threatening the son of the complainant by demanding credit in the absence of the *de-facto* complainant and her husband in their shop at Amdapur village, the accused persons attacked the *de-facto* complainant and her husband while they were returning to Solpet in their car. As a result, the *de-facto* complainant and her husband received bleeding injuries. Hence, a case was registered vide Crime No.398 of 2024 before the Moinabad Police, for the offences punishable under Sections 109, 126(1), 74 read with 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. Heard Sri Allam Ramesh, 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 are innocent and on the date of incident, they went to the shop of the *de-facto* complainant only to purchase the beers on the eve of festival. He further submitted that even after paying the amount through UPI, the son of the *de-facto* complainant refused to deliver the same and later, the *de-facto* complainant and her husband tried to dash the petitioners, who were standing beside the road, with the car. He also submitted that all the material witnesses were examined, and further detention of the petitioners is unnecessary. He lastly submitted that the petitioners have been in judicial custody since 07.11.2024, causing undue hardship to their families. The allegations are false and fabricated. The petitioners are residents of Moinabad Mandal, Ranga Reddy District, with movable and immovable properties, and are willing to furnish sureties as directed. He lastly submitted that previously, bail application of the petitioners, *vide* Crl.M.P.No.641 of 2024, was dismissed by the II Additional District Judge, Ranga Reddy District, on 08.11.2024, without valid reasons.

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 stating that there are serious allegations against the petitioners, therefore, granting bail to the petitioners, 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, 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 Junior Civil Judge-Cum-XIII Additional Chief Metropolitan Magistrate, Cyberabad at Rajendra Nagar.

- 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.(presently, Section 480(3) of the BNSS).

7. Accordingly, the Criminal petition is allowed.

Miscellaneous applications, if any pending, shall stand closed.

K. SUJANA, J

Date: 20.11.2024
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