

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.14046 of 2024

ORDER:

Seeking the Court to enlarge the petitioner who is arrayed as accused No.1 in Crime No.338 of 2024 of Banswada Town Police Station, Kamareddy District, on bail, the present Criminal Petition is filed.

2. The brief facts of the case are that the marriage between the deceased and accused No.1 was performed on 22.02.2024. They lead their marital life happily for some period. Thereafter, accused No.1 along with other accused, used to harass the deceased mentally and physically for want of additional dowry, due to which, the deceased committed suicide in the house. Hence, a case was registered vide Crime No.338 of 2024 before the Banswada Town Police, for offences punishable under Section 80(2) of the BNS.

3. Heard Sri M.Bhushan Reddy, learned counsel appearing on behalf of the petitioner as well as Sri Syed Yasar Manoon, learned Additional Public Prosecutor appearing on behalf of the respondent-State.

4. Learned counsel for the petitioner *firstly* submitted that though the petitioner was not in the house at the time

commission of the offence, the petitioner was falsely implicated in the case only to harass him. He *secondly* submitted that all the material witnesses were examined, and further detention of the petitioner is unnecessary. He *thirdly* submitted that the petitioner has been in judicial custody since 12.09.2024, causing undue hardship to his family and the allegations are false and fabricated. He *fourthly* submitted that the petitioner is resident of Banswada Mandal, Kamareddy District, with movable and immovable properties, and is willing to furnish sureties as directed. He *lastly* submitted that previously, bail application of the petitioner, *vide* Crl.M.P.No.273 of 2024, was dismissed by the Principal District and Sessions Judge at Kamareddy District, on 30.09.2024, without valid reasons and prayed the Court to grant bail to the petitioner by allowing this criminal petition.

5. On the other hand, learned Additional Public Prosecutor opposed the submissions made by the learned counsel for the petitioner stating that the investigation is not yet completed, therefore, granting bail to the petitioner, 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, since the petitioner languishing in jail from 12.09.2024 and material part of investigation is

completed, this Court deems it fit to grant bail to the petitioner subject to the following conditions:

- i. The petitioner 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 Judicial Magistrate of First Class at Banswada.
- ii. The petitioner 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 petitioner 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: 09.12.2024
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