

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.13962 of 2024

ORDER:

Seeking the Court to enlarge the petitioner who is arrayed as accused No.1 in Crime No.183 of 2024 of Zaffargadh Police Station, Warangal District, on bail, the present Criminal Petition is filed.

2. The brief facts of the case are that respondent No.2, along with her son i.e, victim, was residing at Kunoor village and in the year 2020, one Mukkera Anusha, sister of accused No.1, who is residing behind her house, died due to health issues. However, by presuming that the victim is the reason for the death of one Mukkera Anusha, accused No.1 developed grudge on the victim and keeping that in mind, on 12.10.2024, at about 19:30 hours, while the victim was watching Ravanaasura Vadha celebrations in the village, accused No.1 with the help of other accused attacked the victim, due to which, the victim sustained bleeding injuries. Hence, a case was registered vide Crime No.183 of 2024 before the Zaffargadh Police, Warangal District, for the offences punishable under Section 109 read with 3(5) of the BNS.

3. Heard Sri M.Ajay Kumar, 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 petitioner's sister namely Mukkera Anusha is died due to health issues, respondent No.2 filed a complaint with false allegations. He *secondly* submitted that the petitioner is no way concerned with the alleged offences as there is no connection between the death of her sister and the victim. He *thirdly* submitted that all the material witnesses were pexamined, and further detention of the petitioner is unnecessary. He *fourthly* submitted that the petitioner has been in judicial custody since 15.10.2024, causing undue hardship to his family. The allegations are false and fabricated. The petitioner is resident of Kunoor, 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.231 of 2024, was dismissed by the Principal District and Sessions Judge at Jangaon, on 04.11.2024, without valid reasons. Therefore, he 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 is languishing in jail since 15.10.2024 and material part of the 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 Principal District and Sessions Judge at Jangaon.
- 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: 04.12.2024

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