

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.14772 of 2024

ORDER:

Seeking the Court to enlarge the petitioners who are arrayed as accused Nos.1 to 4 in Crime No.495 of 2024 of Jagtial Rural Police Station, Jagtial, on bail, the present Criminal Petition is filed.

2. The brief facts of the case are that on 20.11.2024, at about 07:15 hours, while the *de-facto* complainant was waking towards Mothe village, the accused persons despite beating the *de-facto* complainant mercilessly, threatened him with dire consequences for asking accused No.6 to stop giving house permission in respect of government barren lands. Hence, a case was registered vide Crime No.495 of 2024 before the Jagtial Rural Police Station, Jagtial, offences punishable under Sections 118(1) and 351(2) read with 3(5) of the BNS.

3. Heard Sri K.Sai Sruthin Rao, 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 *firstly* submitted that the petitioners are innocent and they are no way concerned with the alleged offences. He *secondly* submitted that though there is no corroborative evidence on record, the petitioners are implicated in the case with false and fabricated allegations. He *thirdly* submitted that all the material witnesses were examined, and further detention of the petitioners is unnecessary. He *fourthly* submitted that the petitioners have been in judicial custody since 23.11.2024, causing undue hardship to their families. He *fifthly* submitted that the petitioners are residents of Jagtial and Karimnagar Districts, 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.194 of 2024, was dismissed by the Principal Judicial of First Class Magistrate at Jagtial, on 27.11.2024, without valid reasons and 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 the investigation is not yet completed and the Investigating Officer filed an application before the trial Court to conduct Test Identification Parade for the

purpose of identifying the culprits, 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 made by both the parties and reviewing the record, since the petitioners are languishing in jail from 23.11.2024 and material part of the investigation is completed, 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 Principal Judicial Magistrate of First Class at Jagtial.
- ii. The petitioners shall appear before the concerned SHO at 11:00 a.m., on every Monday for a period of eight (8) week or till filing of charge sheet whichever is earlier, 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. Further, the petitioners are also directed to cooperate with Investigating Officer for conducting Test Identification Parade.

Miscellaneous applications, if any pending, shall stand closed.

K. SUJANA, J

Date: 17.12.2024
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