

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.14906 of 2024

ORDER:

Seeking the Court to enlarge the petitioner who is arrayed as accused No.1 in Crime No.195 of 2024 of Chityal Police Station, Jayashankar Bhupalpally District, on bail, the present Criminal Petition is filed.

2. The brief facts of the case are that the marriage of the deceased was solemnized with one Razia and out of their wedlock, they are blessed with son. It is stated that when wife of the deceased went to her maternal house, the deceased committed suicide at his house by hanging to ceiling fan with saree. It is suspected that the deceased committed suicide due to the marital disputes between the deceased and his wife. Hence, a case was registered vide Crime No.195 of 2024 before the Chityal Police, Jayashankar Bhupalpally, for the offences punishable under Section 194 of BNSS.

3. Heard Sri P.Devender, 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 submitted that the petitioner was innocent and he is no way concerned with the alleged offences. He further submitted that the petitioner was in judicial custody since 14.11.2024, causing undue hardship to his family. He also submitted that previously, bail application of the petitioner, *vide* CrI.M.P.No.293 of 2024, was dismissed by the Principal Sessions Judge, Jayashankar Bhupalpally, on 02.12.2024, 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 grant of bail to the petitioner and stating that 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. Having regard to the submissions made by both the parties, it is apparent though there is no corroborative evidence on record, the petitioner was implicated in the case with false allegations only based on the suspicion expressed by the *de-facto* complainant. Since the petitioner is languishing in jail from 14.11.2024 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 Thousand only) each, with two sureties for a like sum each to the satisfaction of the Principal Junior Civil Judge at Jayashankar Bhupalpally District.
- 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: 10.12.2024

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