

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.14950 of 2024

ORDER:

Seeking the Court to enlarge the petitioner who is arrayed as accused No.2 in S.C.No.6 of 2011 on the file of Principal District and Sessions Judge-Cum-Family Court, Medchal Malkajgiri District at Malkajgiri, on bail, the present Criminal Petition is filed.

2. The brief facts of the case are that on 24.11.2009, the *de-facto* complainant filed a missing complaint stating that on 23.11.2009, at about 06:30 hours, his father left home with car bearing No.AP10AQ9909 and did not return to home. Based on the complaint, a case was registered vide Crime No.798 of 2009 before the Kushaiguda Police, Cyberabad and after completion of the investigation, charge sheet was filed vide S.C.No.6 of 2011 before the Principal District and Sessions Judge-Cum-Family Court, Medchal Malkajgiri District at Malkajgiri, for the offences punishable under Sections 120-B, 302, 379 and 201 read with 34 of the IPC.

3. Heard Sri P.Prabhakar 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 attending the Court regularly, the trial

Court has issued Non-Bailable Warrants against the petitioner by splitting the case on 10.06.2022. He *secondly* submitted that the petitioner is innocent and he is no way concerned with the alleged offences. He *thirdly* submitted that all the material witnesses were examined, and further detention of the petitioner is unnecessary. He *fourthly* submitted that the petitioner has been in judicial custody since 02.10.2024, causing undue hardship to his family and that the allegations are false and fabricated. He *fifthly* submitted that the petitioner is resident of Kandukur Mandal, Ranga Reddy 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.229 of 2024 in S.C.No.6 of 2011, was dismissed by the Principal District and Sessions Judge-Cum-Family Court, Medchal Malkajgiri District at Malkajgiri, on 04.11.2024, 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 there are serious allegations against the petitioner and the matter pertains to the year 2011, 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 02.10.2024 and charge sheet is filed after completion of investigation, 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-Cum-Family Court, Medchal Malkajgiri District at Malkajgiri.
- ii. The petitioner shall cooperate with the trial proceedings by appearing before the concerned Court whenever his presence is required as the charge sheet is filed before the concerned Court.
- 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: 13.12.2024
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