

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.14978 of 2024

ORDER:

Seeking the Court to enlarge the petitioner who is arrayed as accused No.1 in Crime No.414 of 2023 of Mahabubnagar Rural Police Station, Mahabubnagar, on bail, the present Criminal Petition is filed.

2. The brief facts of the case are that the *de-facto* complainant stated that she received notice in E.P.No.458 of 2021 which was filed by accused No.2 against accused No.1. It is stated that though the *de-facto* complainant has never stood as guarantor to accused No.1, accused No.1 obtained award in his favour by creating false documents with forged signature of the *de-facto* complainant. Hence, a case was registered vide Crime No.414 of 2023 before the Mahabubnagar Rural Police, Mahabubnagar, for the offences punishable under Sections 409, 420, 465, 468 read with 34 of IPC.

3. Heard Sri Mogili Anaveni, 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 the petitioner is innocent and he is no way concerned with the alleged offences. He *secondly* submitted that the *de-facto* complainant, who is the sister-in-law of accused No.2, played fraud for gaining illegal benefits by drawing the chit amounts. He *thirdly* submitted that all the material witnesses were examined and further detention of the petitioner is unnecessary. He *lastly* submitted that petitioner in judicial custody since 28.11.2024, causing undue hardship to his family 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. Having regard to the submissions made by both the parties, it is apparent that the averments do not constitute the offences under Section 409 of IPC and the punishment prescribed for the remaining offences alleged against the petitioner is less than seven (07) years. Since the petitioner is in jail from 28.11.2024 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 IV Additional Judicial First Class Magistrate at Mahabubnagar.
- 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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69

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