

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.14983 of 2024

ORDER:

Seeking the Court to enlarge the petitioner who is arrayed as accused No.1 in Crime No.817 of 2024 of Mailardevpally Police Station, Cyberabad, on bail, the present Criminal Petition is filed.

2. The brief facts of the case are that as part of real estate business, the victim gave advance amount to accused No.1 to purchase the 5 kuntas land at shamshabad. Later, after visiting the said land, the victim decided to step back in purchasing the said land and asked accused No.1 to return the advance. However, despite denying to return the advance amount, accused No.1 along with other accused attacked the victim mercilessly. As a result, the victim sustained bleeding injuries. Hence, a case was registered vide Crime No.817 of 2024 before the Mailardevpally Police, Cyberabad, for the offences punishable under Sections 109(1) and 331(6) read with 3(5) of the BNS.

3. Heard Sri Mohd. Amjad Ali Ansari, 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 transferred Rs.50,000/- to LW.2 through online and he is no way concerned with the alleged offences. He *secondly* submitted that all the material witnesses were examined, and further detention of the petitioner is unnecessary. He *thirdly* submitted that the petitioner has been in judicial custody since 22.10.2024, causing undue hardship to his family and that the allegations are false and fabricated. He *fourthly* submitted that the petitioner is resident of Jahanuma, Hyderabad, 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.665 of 2024, was dismissed by the XI Additional District Sessions Judge-Cum-Additional Metropolitan Sessions Judge, Cyberabad, on 26.11.2024, 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 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 made by both the parties and reviewing the record, since the petitioner languishing in

jail from 22.10.2024 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 XII Additional Metropolitan Magistrate, Cyberabad at Rajendranagar, Ranga Reddy 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: 16.12.2024
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