

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.15046 of 2024

ORDER:

Seeking the Court to enlarge the petitioner who is arrayed as accused in Crime No.479 of 2024 of Asifnagar Police Station, Hyderabad, on bail, the present Criminal Petition is filed.

2. The brief facts of the case are that since the *de-facto* complainant refused to give the demanded amount to the accused, the accused developed grudge over the *de-facto* complainant. On 21.10.2024, at about 01:00 hours, when the *de-facto* complainant proceeding on his bike, the accused dashed the *de-facto* complainant and also attacked the *de-facto* complainant with jambiya. As a result, the *de-facto* complainant sustained bleeding injuries. Hence, a case was registered vide Crime No.479 of 2024 before the Asifnagar Police, for the offences punishable under Section 109 of the BNS.

3. Heard Sri Mirza Azmath Ali Baig, 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 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 23.10.2024, causing undue hardship to his family and that the allegations are false and fabricated. He *lastly* submitted that the petitioner is resident of Tappachabutra, Hyderabad, with movable and immovable properties, and is willing to furnish sureties as directed 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 23.10.2024 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.15,000/- (Rupees Fifteen Thousand only) each, with two sureties for a like sum each to the satisfaction of the I Additional Chief Judicial Magistrate at Hyderabad.
- 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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