

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.15208 of 2024

ORDER:

Seeking the Court to enlarge the petitioner who is arrayed as accused No.1 in Crime No.09/ACB-KNR/2024 before the ACB Police Station, Karimnagar, on bail, the present Criminal Petition is filed.

2. The brief facts of the case are that on 26.12.2024 while the *de-facto* complainant was transporting sand from the outskirts of Lingapur village, Ramagundam Mandal, in his tractor bearing No.TS 22 T 1615, the Anthergaon Police seized the said tractor. It is stated that despite paying the instructed amount, the Accused Officer Nos.1 and 2 asking for bribe amount from the *de-facto* complainant for releasing the seized vehicle. Hence, a case was registered vide Crime No.09/ACB-KNR/2024 before the ACB Police, Karimnagar, for the offences punishable under Sections 7(a) and 12 of the Prevention of Corruption Act.

3. Heard Sri V.Ramesh, learned counsel appearing on behalf of the petitioner as well as Sri T.Bala Mohan Reddy, learned Standing Counsel for ACB.

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 though the petitioner neither demanded nor accepted any bribe as alleged, the petitioner was

implicated in the case with false and fabricated allegations only to harass the petitioner. 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 20.11.2024, causing undue hardship to his family. He *fifthly* submitted that the petitioner is resident of Karimnagar, 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.1563 of 2024, was dismissed by the Special Judge for Trial of SPE and ACB Cases, Karimnagar, on 03.12.2024, without valid reasons and prayed the Court to grant bail to the petitioner by allowing this criminal petition.

5. On the other hand, learned Standing Counsel for ACB filed counter stating that there is every chance of tampering the evidence by threatening the witnesses, if he released on bail. He also submitted that the petitioner besides demanding the bribe, also accepted the bribe through Accused Officer No.2 and also 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 from both the parties and reviewing the record, it is apparent that there is no incriminating evidence on record to prove the alleged offences. Hence, since the

petitioner is languishing in jail from 20.11.2024 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 Five Thousand only) each, with two sureties for a like sum each to the satisfaction of the Special Judge for Trial of SPE and ACB Cases, Karimnagar.
- ii. The petitioner shall appear before the concerned SHO at 11:00 a.m., on every Monday for a period of eight (8) week or till filing of charge sheet whichever is earlier, 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: 30.12.2024
gms

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