

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.15120 of 2024

ORDER:

This Criminal Petition is filed under section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of pre-arrest bail to the petitioner who is arrayed as accused No.7 in Crime No.246 of 2022 of Karimnagar I Town Police Station, Karimnagar.

2. The brief facts of the case are that though the *de-facto* is one of the partner in M/s Maruthi Constructions and Company, the accused persons colluding with Registration Authorities, created a false partnership deed by removing the name of de-facto complainant from the partnership of the firm. Hence, a case was registered *vide* Crime No.246 of 2022 of Karimnagar I Town Police Station, Karimnagar, for the offences punishable under Sections 420, 467, 471 of IPC.

3. Heard Sri K.Venumadhav, learned counsel appearing on behalf of the petitioner as well as Sri Syed Yasar Mamoon, learned Additional Public Prosecutor appearing on behalf of the respondent.

4. Learned counsel for the petitioner *firstly* submitted that the entire investigation ought to have completed as the said crime was registered in the year 2022. He *secondly* submitted that accused Nos.1, 2, 4 and 5 had filed a quash petition before this Court *vide* Crl.P.No.10508 of 2022, wherein, this Court was pleased to pass orders on 28.11.2022, directing the investigating Officer not to arrest these petitioners. He *thirdly* submitted that petitioner is innocent and he is no way concerned with the alleged offences. He *lastly* submitted that previously, bail application of the petitioner, *vide* Crl.M.P.No.504 of 2024, was dismissed by the Chairman, L.R.A.T – cum - II Additional District and Sessions Judge, at Karimnagar, on 02.12.2024, without valid reasons and prayed the Court to grant of anticipatory 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 is a forgery of the signature of the *de-facto* complainant in the said registration forms, therefore, granting anticipatory 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 material available on record, it apparent that the case is of the year 2022 and except omnibus allegations there are no specific allegations against the petitioner. It is pertinent to note that material part of the investigation is also completed. Therefore, considering the facts and circumstances of the case, this Court is of the considered view that it is a fit case for granting of anticipatory bail to the petitioner.

7. Accordingly, this petition is allowed granting anticipatory bail to the petitioner subject to the following conditions:

- i. The petitioner shall surrender before the Station House Officer of P.S.Karimnagar I Town, Karimnagar within two weeks from today, and on such surrender, the said Station House Officer shall release him on bail on executing a personal bond for Rs.25,000/- with two sureties, for the like sum each.
- ii. The petitioners shall appear before the concerned Station House Officer on

every Monday between 9:00 A.M. to 5:00 P.M., for a period of eight (08) weeks or till filing of charge sheet whichever is earlier.

- iii. The petitioners shall abide by the other conditions stipulated in Section 482(2) of Bharatiya Nagarik Suraksha Sanhita, 2023.

Miscellaneous applications, if any pending, shall stand closed.

K. SUJANA, J

Date: 24.12.2024

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