

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.15161 of 2024

ORDER:

Seeking the Court to enlarge the petitioners who are arrayed as accused Nos.1 and 2 in Crime No.239 of 2024 of Ramannapet Police Station, Yadadri Bhongir, on bail, the present Criminal Petition is filed.

2. The brief facts of the case are that on 10.11.2024, at about 14:00 hours, on receiving credible information about the illegal storage of explosive substance in agricultural fields at the outskirts of Thummalagudem village of Ramannapet Mandal, the Police raided the said premises and found that the accused persons are using the explosive substances for the purpose of breaking the rocks in the agricultural field. As such, accused persons are taken into custody and seized the explosive substances. Based on the complaint, a case was registered vide Crime No.239 of 2024 before the Ramannapet Police, Yadadri Bhuvanagiri District, for the offences punishable under Sections 125, 288 read with 3(5) of the BNS and Section 9(B)(i)(b) of Explosive Act and Sections 4, 5 of the Explosive Substances Act.

3. Heard Sri Mekala Durgaiah, learned counsel appearing on behalf of the petitioners as well as Sri Syed Yasar Manoon,

learned Additional Public Prosecutor appearing on behalf of the respondent-State.

4. Learned counsel for the petitioners *firstly* submitted that the petitioners are no way concerned with the alleged offences. He *secondly* submitted that all the material witnesses were examined, and further detention of the petitioners is unnecessary. He *thirdly* submitted that the petitioners have been in judicial custody since 10.11.2024, causing undue hardship to their families and that the allegations are false and fabricated. He *fourthly* submitted that the petitioners are residents Ramannapet Mandal, Yadadri Bhongir District, with movable and immovable properties, and are willing to furnish sureties as directed. He *lastly* submitted that previously, bail applications of the petitioners, *vide* CrI.M.P.Nos.462 and 478 of 2024, were dismissed by the Principal District and Sessions Judge at Yadadri Bhongir, on 20.11.2024 and 03.12.2024, respectively, without valid reasons and prayed the Court to grant bail to the petitioners by allowing this criminal petition.

5. On the other hand, learned Additional Public Prosecutor opposed the submissions made by the learned counsel for the petitioners stating that petitioner No.1/accused No.1 also involved in other cases with the similar offences and the investigation is not yet completed, therefore, granting bail to

the petitioners, 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, it is apparent that petitioner No.1/accused No.1 using the explosive substances for the purpose of breaking the rocks in the agricultural fields and he is also involved in other cases with similar offences. Pertinently, the material part of the investigation is completed. As such, this Court is of the considered opinion that petitioner No.1/accused No.1 is not entitled for the bail. However, since petitioner No.2/accused No.2 is languishing in jail from 10.11.2024 without there being any criminal antecedents pending against him, this Court deems it fit to grant bail to petitioner No.2/accused No.2 subject to the following conditions:

- i. The petitioner No.2/accused No.2 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 Additional Judicial First Class Magistrate at Ramannapet, Yadadri Bhongir District.
- ii. The petitioner No.2/accused No.2 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 No.2/accused No.2 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 partly allowed.

Miscellaneous applications, if any pending, shall stand closed.

K. SUJANA, J

Date: 18.12.2024
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