

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.15233 of 2024

ORDER:

Seeking the Court to enlarge the petitioner who is arrayed as accused No.2 in Crime No.424 of 2024 of Malakpet Police, Hyderabad, on bail, the present Criminal Petition is filed.

2. The brief facts of the case are that on 12.11.2009, the *de-facto* complainant filed a complaint stating that her son i.e., the victim through call informed her that while he was proceeding to the office on his bike bearing No.TS 11 EY 6222, the accused persons intercepted him and kidnapped him. Based on the complaint, a case was registered vide Crime No.424 of 2024 before the Malakpet Police, Hyderabad, for the offences punishable under Sections 140(3) and 309(6) read with 3(5) of the BNS.

3. Heard Sri S.M.Saifullah, 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 though the disputes are mainly between accused No.1 and the

de-facto complainant, the petitioner was falsely implicated in the case. He *secondly* submitted that the petitioner is innocent and he is no way concerned with the alleged offences. 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 13.11.2024, causing undue hardship to his family and that the allegations are false and fabricated. He *lastly* submitted that the petitioner is resident of Balapur, 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 the 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, since the petitioner languishing in jail from 13.11.2024 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 VII 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: 13.12.2024
gms

60

THE HONOURABLE SMT JUSTICE K. SUJANA

CRIMINAL PETITION No.15233 of 2024

Date: 13.12.2024

gms