

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.15256 of 2024

ORDER:

Seeking the Court to enlarge the petitioner in Crime No.716 of 2024 of Kushaiguda Police Station, Rachakonda, on bail, the present Criminal Petition is filed.

2. The brief facts of the case are that on 18.09.2024, the deceased went for Ganesh Idol immersion and did not return to the home. On 19.09.2024, it is informed to the *de-facto* complainant that the deceased was found dead at Kapra Circle Graveyard. It is stated that the accused persons quarrelled with the deceased several times before the death of the deceased. Hence, a case was registered vide Crime No.716 of 2024 before the Kushaiguda Police, Rachakonda, for the offences punishable under Section 103(1) read with 3(5) of the BNS.

3. Heard Sri Sunkara Naresh, 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 there is no corroborative evidence, the petitioner was

implicated in the case with false and fabricated allegations. 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 21.09.2024, causing undue hardship to his family and that the allegations are false and fabricated. He *lastly* submitted that the petitioner is resident of Alwal, Medchal Malkajgiri District, 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 made by both the parties and reviewing the record, since the petitioner is languishing in jail from 21.09.2024 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 II Additional Metropolitan Sessions Judge at Medchal Malkajgiri District.
- 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: 23.12.2024

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