

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.15333 of 2024

ORDER:

Seeking the Court to enlarge the petitioner who is arrayed as accused No.2 in Crime No.293 of 2024 of Gadwal Town Police Station, Jogulamba Gadwal District, on bail, the present Criminal Petition is filed.

2. The brief facts of the case are that on 24.11.2024, while the *de-facto* complainant was performing his duty as bus driver, the accused persons boarded the bus and beaten him mercilessly by abusing him in filthy language. Hence, a case was registered vide Crime No.293 of 2024 before the Gadwal Town Police, Jogulamba Gadwal District, for the offences punishable under Sections 121(2) and 352 read with 3(5) of the BNS.

3. Heard Sri Srilekha Pujari, 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 the petitioner is innocent and he is no way concerned with the alleged offences. He *secondly* submitted that all the material witnesses were examined, and further detention of the

petitioner is unnecessary. He *thirdly* submitted that the petitioner has been in judicial custody since 25.11.2024, causing undue hardship to their family and that the allegations are false and fabricated. He *fourthly* submitted that the petitioner is residents of Gadwal Town, Jogulamba Gadwal District, with movable and immovable properties, and are willing to furnish sureties as directed. He *lastly* submitted that previously, bail application of the petitioner, *vide* Crl.M.P.No.455 of 2024, was dismissed by the I Additional District and Sessions Judge, Jogulamba Gadwal, on 04.12.2024, without valid reasons and prayed the Court to grant bail to the petitioner by allowing this criminal petition.

5. On the other hand, learned Additional Public Prosecutor opposed the submissions made by the learned counsel for the petitioner stating that there are serious allegations against the petitioner and 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 are languishing in jail from 25.11.2024 and 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 I Additional Judicial First Class Magistrate, Jogulamba Gadwal.
- 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: 19.12.2024

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