

]THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.15331 of 2024

Seeking the Court to enlarge the petitioner who is arrayed as accused No.4 in Crime No.976 of 2024 of Saroornagar Police Station, Rachakonda, on bail, the present Criminal Petition is filed.

2. The brief facts of the case are that on 01.11.2024, received a complaint from *de facto* complainant stating that complainant husband went to meet Shanker regarding a chit amount. Later that the *de facto* complainant called her husband, an unknown person answered, informing her that Eshwar had met with an accident and he was admitted to Global Hospital, Kharmangaht and on enquiry revealed that Eshwar and Shankar along with other accused had a meeting at Sama Bar Mandha Mallamma X Road, on 31.10.2024 and a quarrel ensued regarding the chit amount Eshwar was seriously injured when Shanker intentionally rammed his car into him twice. Based on the complaint, the Police registered a case vide Crime No.976 of 2024 before the Saroornagar Police Station, Rachakonda, for the offences punishable under Sections 61(2), 103 (1) read with 3(5) of BNS.

3. Heard Sri Habeeb Abubakar Alhamed, 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 petitioner *firstly* submitted that the petitioner is innocent and he is no way concerned with the alleged offences and material part of the investigation was completed. He is *secondly* submitted that the petitioner has been in judicial custody since 11.11.2024, causing undue hardship to their family and that the allegations are false and fabricated. He *thirdly* submitted that except, the confession statement of A-3, there is no other allegations against this petitioner and the petitioner permanent resident of Medchal Malkajgiri District and is willing to furnish sureties as directed by the Court. He *lastly* submitted that previously, bail application of the petitioners/accused Nos.3 and 4, *vide* Crl.M.P.No.727 of 2024, was dismissed by the X Additional District and Sessions Judge, Ranga Reddy District, L.B.Nagar, on 06.12.2024, 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, except confession statement of A-3 there is no allegations against the petitioner and since the petitioner are languishing in jail from 11.11.2024 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 Special Judicial Magistrate of First Class (Excise), Ranga Reddy, V Additional Juidicial Magistrate of First Class – cum- V Additional Junior Civil Judge, Ranga Reddy District at L.B.Nagar.
- 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: 26.12.2024

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