

HON'BLE SMT. JUSTICE JUVVADI SRIDEVI

CRIMINAL PETITION No.15401 of 2024

ORDER :

Petitioner/accused No.3 has filed this petition under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, seeking anticipatory bail in Crime No.1243 of 2024 of P.S. Vanasthalipuram, registered for the offences under Section 318(4) and 309(4) of Bharatiya Nyaya Sanhitha, 2023.

2. Heard Sri Baglekar Akash Kumar, learned counsel for petitioner/accused No.3 and Mr. Syed Yasar Manoon, learned Additional Public Prosecutor appearing for the State and perused the record.

3. The case of the prosecution is that accused Nos.1 to 3 in the crime have committed theft of Rs.15,50,000/- from the *de facto* complainant.

4. Learned counsel for petitioner/accused No.3 submits that the petitioner/accused No.3 is innocent and has been falsely implicated in the case. He further submits that there are no

specific allegations against the petitioner/accused No.3 and the offences alleged against him are not at all attracted. There are no criminal antecedents reported against the petitioner/accused No.3 and most part of the investigation is completed, except filing of charge sheet, and hence, prayed for grant of anticipatory bail.

5. The learned Additional Public Prosecutor, on the other hand, opposed the application stating that serious allegations are levelled against the petitioner/accused No.3. He further submits that investigation is in progress and if the petitioner/accused No.3 is released on bail at this stage, he may tamper with the evidence and may commit similar type of offences, and hence, prayed to dismiss the petition.

6. Having heard both sides and perused the material on record, *prima facie*, it appears that no specific allegations are levelled against the petitioner/accused No.3 and most part of the investigation is completed. In the said circumstances, this Court is of the considered opinion that it is a fit case for grant of anticipatory bail, subject to the following conditions:

1. The petitioner/accused No.3 shall surrender before the Station House Officer of P.S. Vanasthalipuram, within two weeks from today, and on such surrender, the said Station House Officer shall release the petitioner on bail on his executing a personal bond for Rs.20,000/- with two sureties, for the like sum each.
2. The petitioner/accused No.3 shall appear before the concerned Station House Officer on every Saturday between 11.00 a.m. and 05.00 p.m. for a period of eight weeks or till filing of charge sheet, whichever is earlier.
3. The petitioner/accused No.3 shall abide by the other conditions stipulated in Section 482 (2) of Bharatiya Nagarik Suraksha Sanhitha, 2023 and co-operate with the Investigating Officer in investigating the case.

Petition is accordingly allowed.

JUVVADI SRIDEVI, J

Date: 20.12.2024

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