

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.15466 of 2024

ORDER:

Seeking the Court to enlarge the petitioner who is arrayed as accused No.2 in Crime No.143 of 2024 of Palakeedu Police Station, Suryapet District, on bail, the present Criminal Petition is filed.

2. The brief facts of the case are that on 27.10.2024, at about 06:20 p.m., while the victim was alone in his house, the accused persons besides trespassing his house, also beaten him mercilessly with an intention to kill him. As a result, the victim sustained bleeding injuries. Hence, a case registered vide Crime No.143 of 2024 before the Palakeedu Police, Suryapet District, for the offences punishable under Sections 333, 109 and 309(4) of the BNS.

3. Heard Sri J.Thirmal Nayak, 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 though there is

no corroborative evidence, the petitioner, who is a car driver, was implicated in the case with false and fabricated allegations. 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 30.10.2024, causing undue hardship to his family. He *lastly* submitted that the petitioner is resident of Vinayaka Nagar, Suryapet, 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 allegations levelled against the petitioner are serious in nature and also 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 30.10.2024 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 Judicial First Class Magistrate, Huzurnagar.
- 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: 24.12.2024

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16

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