

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.15650 of 2024

ORDER:

Seeking the Court to enlarge the petitioner who is arrayed as accused No.2 in S.C.No.303 of 2018 on the file of IV Additional Sessions Judge at Hyderabad, on bail, the present Criminal Petition is filed.

2. The brief facts of the case are that though the *de-facto* complainant returned the lent amount to accused No.1, accused No.1, along with other accused, not only used to harass the *de-facto* complainant but also used to threaten him with dire consequences by demanding amounts. Hence, a case was registered vide Crime No.566 of 2010 before the Jubilee Hills Police, Hyderabad and after completion of the investigation, a charge sheet was filed vide S.C.No.303 of 2018 before the IV Additional Sessions Judge at Hyderabad, for the offences punishable under Sections 341, 364(A), 395 of the IPC and Section 25(1) of the Arms Act.

3. Heard Sri S.M.Saifullah, 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 the petitioner was attending the Court regularly except the

period of covid pandemic, the trial Court has issued Non-Bailable Warrants against the petitioner. 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 29.08.2024, causing undue hardship to his family and that the allegations are false and fabricated. He *fifthly* submitted that the petitioner is willing to furnish sureties as directed. He *lastly* submitted that previously, bail application of the petitioner, *vide* CrI.M.P.No.2076 of 2024 in S.C.No.303 of 2018, was dismissed by the IV Additional Sessions Judge at Hyderabad, on 02.12.2024, 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 matter pertains to the year 2018, 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 from both the parties and reviewing the record, since the petitioner languishing in jail from 29.08.2024 and charge sheet is filed after completion of investigation, this petitioner was regular to the Court due to the

Covid situation, he was not aware of the date of hearing as such NBW was issued considering the same, 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 IV Additional Sessions Judge at Hyderabad.
- ii. The petitioner shall cooperate with the trial proceedings by appearing before the concerned Court whenever his presence is required as the charge sheet is filed before the concerned Court.
- 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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