

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.15789 of 2024

ORDER :

This criminal petition is filed by the petitioner/accused No.1 under Section 482 of Bharatiya Nagarik Suraksha Sanhitha (for short 'BNSS') seeking anticipatory bail in Crime No.346 of 2024 of P.S.Mallial, Jagtial District, registered for the offence punishable under Section 318 (4) of Bharatiya Nyaya Sanhitha, 2023 (for short 'BNS').

2. Heard Sri Vamkudothu Linga, learned counsel appearing for petitioner and Mr. Syed Yasar Manoon, learned Additional Public Prosecutor appearing for the respondent-State and perused the record.

3. The case of the prosecution, in brief, is that the petitioner herein has made a promise and received Gold and Cash from the *de facto* complainant. However, the petitioner did not keep up his promise and cheated the *de facto* complainant by not returning them.

4. The learned counsel for the petitioner would submit that the petitioner/accused No.1 is in no way concerned with the offences alleged and has been falsely implicated in the case. He further

submits that *de facto* complainant has made a false complaint against the petitioner herein with some wild and vague allegations. He further submits that petitioner herein is an Agricultural Labour and he is a permanent resident of Chivvemla Village, therefore, the question of petitioner absconding does not arise and he is ready to abide by any condition imposed by this Court. Hence, he prayed to grant anticipatory bail to the petitioner.

5. On the other hand, the learned Additional Public Prosecutor opposed for grant of bail to the petitioner stating that specific allegations are levelled against the petitioner/accused No.1 and investigation is pending.

6. Having regard to the submissions made by both the learned counsel and perused the material on record, *prima facie*, no specific allegations are levelled against the petitioner/accused No.1. In the said circumstances, the petitioner/accused No.1 can be granted anticipatory bail subject to the following conditions:

- i. The petitioner/accused No.1 shall surrender before the Station House Officer, P.S. Mallial, Jagtial District, within two weeks from today, and on such surrender, the said Station House Officer shall release the petitioner/accused No.1 on bail on executing a personal

bond for Rs.15,000/- with two sureties, for the like sum each.

- ii. The petitioner/accused No.1 shall abide by the other conditions stipulated in Section 482(2) of Bharatiya Nagarik Suraksha Sanhita, 2023.
 - iii. The petitioner/accused No.1 shall appear before the concerned Investigating Officer on every Monday between 09:00 a.m, and 05:00 p.m., till the filing of the charge sheet and thereafter, as and when required.
7. Accordingly, this Criminal Petition is allowed.

Date: 31.12.2024
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K. SUJANA, J