

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.15831 of 2024

ORDER :

This criminal petition is filed by the petitioner/accused No.3 under Section 482 of Bharatiya Nagarik Suraksha Sanhitha (for short 'BNSS') seeking anticipatory bail in Crime No.202 of 2023 of P.S. Kachiguda, registered for the offence punishable under Section 306 of Bharatiya Nyaya Sanhitha, 2023 (for short 'BNS').

2. Heard Sri Vijay B.Paropakari, 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 deceased had lent a sum of Rs.16,00,000/- to accused No.1 through the petitioner/accused No.2. In spite of repeated requests, accused No.1 avoided to repay the amount and started avoiding even on the phone call by blocking the number of the deceased. It is further alleged that the deceased had advanced a hand loan of Rs.38,00,000/- to accused No.2. Alleging that the accused Nos.1 and 2 failed to return the

amount and blocking her calls, out of frustration, she allegedly committed suicide.

4. The learned counsel for the petitioner would submit that the petitioner/accused No.3 is in no way concerned with the offences alleged and has been falsely implicated in the case. He further submits that the name of the petitioner is not mentioned either in the suicide note or in the complaint, whereas, in the remand report, it is stated that he took initiation to transfer the property of the deceased in the name of accused No.1 for availing loan and on his instructions, deceased advanced loan to accused Nos.1 and 2. He further submits that most part of the investigation is completed and he is ready to abide by any condition imposed by this Court, hence, 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.3. He further submitted that offence committed by the petitioner is serious in nature. This petitioner has directed the deceased to transfer the property in the name of accused No.1 for availing loan. 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 threaten the witnesses, and hence, prayed to dismiss the petition.

6. Having heard both sides and perused the material on record, it appears that the name of petitioner/accused No.3 was not mentioned either in the complaint or suicide note, however, subsequently added in the remand report and there are no specific allegations against the petitioner/accused No.3. In view of the same and as most part of the investigation is completed, this Court is of the considered view that it is a fit case for grant of anticipatory bail subject to the following conditions:

- i. The petitioner/accused No.3 shall surrender before the Station House Officer, P.S. Kachiguda, Hyderabad within two weeks from today, and on such surrender, the said Station House Officer shall release the petitioner/accused No.3 on bail on executing a personal bond for Rs.25,000/- with two sureties, for the like sum each.
- ii. The petitioner/accused No.3 shall abide by the other conditions stipulated in Section 482(2) of Bharatiya Nagarik Suraksha Sanhita, 2023.

- iii. The petitioner/accused No.3 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.

K. SUJANA, J

Date: 31.12.2024
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