

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.16058 of 2024

ORDER:

This Criminal Petition is filed under section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of pre-arrest bail to the petitioner who is arrayed as accused No.2 in Crime No.293 of 2024 of Yadagirigutta Police Station, Rachakonda.

2. The brief facts of the case are that on 20.10.2024 at 14.00 hours *de-facto* complainant lodged a report stating that on 30.03.2024, he made an agreement with one person namely Gottimukkala Gopi Raju, in respect of land of 165 sq.yards in the limits of Chinnakandukur village Yadagirigutta, for the amount of 14,00,000/- and accordingly, he paid the said amount through online, in which, he paid Rs.3,00,000 to the petitioner/accused No.2 through online. However, when he asked about the registration, despite ignoring the *de-facto* complainant, the accused also threatened him with dire consequences. Hence, a case was registered *vide* Crime No.293 of 2024 of Yadagirigutta Police

Station, Rachakonda, for the offences punishable under Sections 316(2), 318(4) read with 3(5) of BNS.

3. Heard Sri P.Sree Ramya, learned counsel appearing on behalf of the petitioner as well as Sri Syed Yasar Mamoon, learned Additional Public Prosecutor appearing on behalf of the respondent.

4. Learned counsel for the petitioner *firstly* submitted that the petitioner is innocent and he is no way concerned with the alleged offences. She *secondly* submitted that the allegations levelled against the petitioner are vague in nature. She *lastly* submitted that material part of the investigation is completed and prayed the Court to grant of anticipatory 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 petitioner is also involved in other case with similar offense and the investigation is not yet completed and therefore, granting anticipatory 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 material available on record, the averments of the petition shows that the punishment prescribed for the offences alleged against the petitioner is less than seven (07) years and the *de-facto* complainant was not entered an agreement with petitioner. It is pertinent to note that material part of investigation investigation is completed. Therefore, considering the facts and circumstances of the case, this Court is of the considered view that it is a fit case for granting of anticipatory bail to the petitioner.

7. Accordingly, this petition is allowed granting anticipatory bail to the petitioner subject to the following conditions:

- i. The petitioner shall surrender before the Station House Officer of P.S.Yadagirigutta, Rachakonda within two weeks from today, and on such surrender, the said Station House Officer shall release him on bail on executing a personal bond for Rs.25,000/- with two sureties, for the like sum each.

- i. 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.
- ii. The petitioner shall abide by the other conditions stipulated in Section 482(2) of Bharatiya Nagarik Suraksha Sanhita, 2023.

Miscellaneous applications, if any pending, shall stand closed.

K. SUJANA, J

Date: 30.12.2024

gv

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