

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.78 of 2025

ORDER:

Seeking the Court to enlarge the petitioners who are arrayed as accused Nos.1 and 2 in Crime No.214 of 2024 of Ellandakunta Police Station, Karimnagar, on bail, the present Criminal Petition is filed.

2. The brief facts of the case are that on 28.11.2024, the Ellandakunta Police seized the tractor bearing No.AP 27 TT 1523 as the accused persons are travelling in the said tractor with explosive items. It is stated that the accused persons are using the Explosive items for digging the agriculture open wells. Hence, a case was registered vide Crime No.214 of 2024 before the Ellandakunta Police, Karimnagar, for the offences punishable under Sections 3 and 5 of the Explosive Substances Act.

3. Heard Ms.Sahithi Sri Kavya Mukkera, learned counsel appearing on behalf of the petitioners as well as Sri Syed Yasar Manoon, learned Additional Public Prosecutor appearing on behalf of the respondent-State.

4. Learned counsel for the petitioners *firstly* submitted that the petitioners are innocent and they are no way concerned with the alleged offences. She *secondly* submitted

that though the petitioners are using the explosive items only for the purpose of digging open wells in the agricultural land, the petitioners were implicated in the case with false and fabricated allegations. She *thirdly* submitted that all the material witnesses were examined, and further detention of the petitioners is unnecessary. She *fourthly* submitted that the petitioners have been in judicial custody since 28.11.2024, causing undue hardship to their families. She *fifthly* submitted that the petitioners are residents of Karimnagar District, with movable and immovable properties, and are willing to furnish sureties as directed. She *lastly* submitted that previously, bail application of the petitioners, vide Crl.M.P.No.558 of 2024, was dismissed by the learned Judge, Family Court-Cum-IV Additional District and Sessions Judge, Karimnagar, on 27.12.2024, without valid reasons and prayed the Court to grant bail to the petitioners by allowing this criminal petition.

5. On the other hand, learned Additional Public Prosecutor opposed the submissions made by the learned counsel for the petitioners stating that the investigation is not yet completed, therefore, granting bail to the petitioners, 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 petitioners are languishing in

jail from 28.11.2024 and also material part of investigation is completed, this Court deems it fit to grant bail to the petitioners subject to the following conditions:

- i. The petitioners 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 II Additional Judicial Magistrate of First Class, Huzurabad.
- ii. The petitioners 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 petitioners 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: 07.01.2025
gms

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