

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.441 of 2025

ORDER:

Seeking the Court to enlarge the petitioners in Crime No.179 of 2024 of Sirpur-T Police Station, Kumrambheem, on bail, the present Criminal Petition is filed.

2. The brief facts of this case are that on 08.12.2024, the *de-facto* complainant lodged a report before the Police stating that she belongs to SC mala Caste and she was married to accused No.1 and their marriage was love marriage. After their wedlock, they were blessed with one baby girl. It is stated that the accused No.1 harassed her both physically and mentally for want of additional dowry. Hence a case was registered vide Crime No.179 of 2024 before the Sirpur-T Police Station, Kumrambheem, for the offences punishable under Sections 85, 115(2), 292, 351 read with 3(5) of BNS, Section 4 of DP Act and Sections 3(1)(r)(s), 3(2)(va) of SC/STs(POA) Act, 1989.

3. Heard Sri Pole Vishnu, learned counsel appearing on behalf of the petitioners as well as Sri Syed Yasar Mamoon, 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. He *secondly* submitted that without there being any specific allegations against the petitioners, they were falsely implicated

in the case. He *thirdly* submitted that all the material witnesses were examined, and further detention of the petitioners is unnecessary. He *lastly* submitted that the petitioners have been in judicial custody since 07.01.2025, causing undue hardship to their family. The allegations are false and fabricated. The petitioners are resident of Karimnagar District, with movable and immovable properties, and are willing to furnish sureties as directed. Therefore, he 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 allegations leveled against these petitioners are serious in nature and 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 at both the parties and reviewing the record, since the petitioners are languishing in jail since 07.01.2025 and petitioners and *de-facto* complainant are relatives. The main allegations are against the accused No.1 only. It is pertinent to note that there are there are no specific allegations against these petitioners and also material part of the 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 Judicial First Class Magistrate at Sirpur-T.

- 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, this Criminal petition is allowed.

Miscellaneous applications, if any pending, shall stand closed.

K. SUJANA, J

Date: 20.01.2025

Gv/gms

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