

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.535 of 2025

ORDER:

Seeking the Court to enlarge the petitioner who is arrayed as accused in Crime No.433 of 2024 of Kothapalli Police Station, Karimnagar District, on bail, the present Criminal Petition is filed.

2. The brief facts of the case are that the accused on 11.12.2024, the accused besides assaulting the *de-facto* complainant by abusing her in filthy language, he also threatened her with dire consequences. Hence, a case was registered *vide* Crime No.433 of 2024 before the Kothapalli Police, Karimnagar District, for the offences punishable under Sections 74, 75, 78, 79, 351(2) of the BNS and sections 3(1)(r)(s), 3(2)(va) of SC/ST (POA) Act.

3. Heard Ms.P.Sree Ramya, learned counsel appearing on behalf of the petitioner as well as Sri Nimma Naryana, learned counsel for respondent No.2 and Sri Syed Yasar Mamoon, learned Additional Public Prosecutor appearing on behalf of the respondent No.1-State.

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 though there is no corroborative evidence, the petitioner was implicated in the case with false and fabricated allegations only to damage the reputation of the said college. She *thirdly* submitted that all the material witnesses were examined, and further detention of the petitioner is unnecessary. She *fourthly* submitted that the petitioner has been in judicial custody since 26.12.2024, causing undue hardship to his family. She *fifthly* submitted that the petitioner is resident of Karimnagar District, with movable and immovable properties, and is willing to furnish sureties as directed. She *lastly* submitted that previously, bail application of the petitioner, *vide* Crl.M.P.No.2276 of 2024, was dismissed by the Special judge for Trial of Cases under SC/STs (POA) Act-Cum-III Additional District and Sessions Judge, Karimnagar, on 04.01.2025, without valid reasons and prayed the Court to grant bail to the petitioner by allowing this criminal petition.

5. *Per Contra*, learned counsel for respondent No.2 submitted that there is a threat to the *de-facto* complainant if the petitioner released on bail as he threatened the *de-facto* complainant by saying that he will pour acid on her. Hence, he prayed the Court to dismiss the Criminal Petition.

6. On the other hand, learned Additional Public Prosecutor opposed the submissions made by the learned counsel for the petitioner stating that the investigation is not yet completed, therefore, granting bail to the petitioner, at this stage, does not arise. Hence, he prayed the Court to dismiss the criminal petition.

7. After considering submissions from both the parties and reviewing the record, it is apparent that the punishment prescribed for the alleged offences against the petitioner is less than seven (07) years. Hence, since the petitioner is languishing in jail from 26.12.2024 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 petitioner 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 I Additional Judicial Magistrate of First Class, Karimnagar.
- ii. The petitioner 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. Further, the petitioner

is directed not to indulge in the similar offences.

- iii. The petitioner shall abide by the conditions stipulated in Section 437(3) of Cr.P.C.(presently, Section 480(3) of the BNSS).

8. Accordingly, the Criminal petition is allowed. However, if the petitioner commits any violation of this order, the *de-facto* complainant is at liberty to file petition seeking cancellation of the petitioner's bail.

Miscellaneous applications, if any pending, shall stand closed.

K. SUJANA, J

Date: 29.01.2025
gms

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