

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.700 of 2025

ORDER:

Seeking the Court to enlarge the petitioner who is arrayed as accused No.1 in Crime No.207 of 2024 of Mellacheruvu Police Station, Suryapet District, on bail, the present Criminal Petition is filed.

2. The brief facts of the case are that on 15.12.2024, the Mellacheruvu Police seized the vehicle bearing No.AP 16 TF 9557 and PDS rice bags as the accused persons are transporting the PDS rice illegally to the general public in order to earn money in an ease manner and also registered a case vide Crime No.207 of 2024 before the Mellacheruvu Police, Suryapet District, for the offences punishable under Sections 318(4), 111(1), 316(2), 314 of the BNS and Section 7 of the ECA.

3. Heard Sri P.Manoj, learned counsel for the petitioner as well as Sri Syed Yasar Manoon, learned Additional Public Prosecutor appearing on behalf of the respondent-State.

4. Learned counsel for the petitioner *firstly* submitted that the petitioner is innocent and he is no way concerned with the alleged offences. He *secondly* submitted that though there is no corroborative evidence, the petitioner was implicated in the case with false and fabricated allegations. He *thirdly*

submitted that all the material witnesses were examined, and further detention of the petitioner is unnecessary. He *fourthly* submitted that the petitioner has been in judicial custody since 23.12.2024, causing undue hardship to his family. He *fifthly* submitted that the petitioner is resident of Bethavolu village, Chilkur Mandal, with movable and immovable properties, and is willing to furnish sureties as directed. He *lastly* submitted that previously, bail application of the petitioner, vide Crl.M.P.No.149 of 2024 was dismissed by the II Additional Sessions Judge at Huzurnagar, on 10.01.2025, without valid reasons and prayed the Court to grant 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 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.

6. After considering submissions from both the parties and reviewing the record, it is contended that without there being any incriminating evidence, the petitioner is implicated in the case solely based on the confession of accused Nos.2 to 7. Further, it is stated by the learned counsel for the petitioner that though there are several other cases pending against the petitioner with similar offences, most of the those cases were

settled before the Lok Adalath. Hence, since the petitioner is languishing in jail from 23.12.2024 and also material part of investigation is completed, this Court deems it fit to grant bail to the petitioner 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 Judicial First Class Magistrate at Huzurnagar.
- 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.
- iii. The petitioner 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: 24.01.2025

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