

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.738 of 2025

ORDER:

This Criminal Petition is filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023, for granting of pre-arrest bail to the petitioner/accused No.1 in Crime No.188 of 2023 on the file of the Madhura Nagar Police Station, Hyderabad.

2. The brief facts of the case are that despite the *de-facto* complainant's company paying the amounts to the accused persons as per the purchase order for supplying the required materials, they failed to supply the said materials. As a result, the *de-facto* complainant's firm incurred huge losses. Hence, a case was registered *vide* Crime No.188 of 2023 before the Madhura Nagar Police, Hyderabad, for the offences punishable under Sections 406 and 420 of the IPC.

3. Heard Sri D.Raghavendar Rao, 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-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 present case with false and fabricated allegations. He *thirdly* submitted that there is contractual relationship between the accused person's firm and the *de-facto* complaint's. He *fourthly* submitted that even after issuing a notice under Section 35(3) of the BNSS, the Police are apprehending the petitioner. He *lastly* submitted that the petitioner is resident of Bilaspur, Chhattisgarh, with movable and immovable properties, and is willing to furnish sureties as directed. Hence, he prayed the Court to grant anticipatory bail to the petitioner.

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 anticipatory bail to the petitioner, at this stage, does not arise. Hence, he prayed the Court to dismiss the criminal petition.

6. Having regard to the submissions made by both the parties and a perusal of the material placed on record, *prima*

facie, it is apparent that the punishment prescribed for the alleged offence against the petitioner is less than seven (07) years. It is pertinent to note that material part of the 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 Madhura Nagar Police Station, Hyderabad, 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.
- ii. The petitioner shall appear before the concerned Station House Officer on every Monday between 9:00 A.M. to 10

P.M., for a period of eight (08) weeks
or till filing of charge sheet whichever
is earlier.

- iii. The petitioner shall abide by the other
conditions stipulated in Section 482(2)
of Bharatiya Nagarik Suraksha
Sanhita, 2023 and co-operate with the
Investigating Officer in investigating
the case.

Miscellaneous applications, if any pending, shall stand
closed.

K. SUJANA, J

Date: 30.01.2025
gms

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