

THE HONOURABLE SMT JUSTICE K. SUJANA

CRIMINAL PETITION No.712 of 2025

ORDER:

The present Criminal Petition is filed praying this Court to enlarge the petitioners who are arrayed as accused Nos.1 and 2 in FIR No.169 of 2024 before the Venkatapuram Police Station, Mulugu, on bail.

2. The brief facts of the case are that on September 22, 2024, Sub-Inspector of Police K. Thirupathi Rao, attached to the Venkatapuram Police Station, lodged a complaint regarding the interception of a suspicious vehicle and the subsequent arrest of two individuals. As per the complaint, on the same day, at around 2:00 PM, Rao, along with his team, was conducting vehicle checks at Kothapally cross road. During this exercise, they intercepted a green John Deere dozer (tractor) bearing no registration number, driven by petitioner No.1 with petitioner No.2, as a passenger. Upon inspecting the vehicle, the police found two white-colored bags containing explosive materials, including cordex wire, detonators, steel tiffin boxes, batteries, and electrical wire.

Additionally, they seized pamphlets related to the celebrations of the 20th anniversary of the banned Communist Party of India (Maoist) party. During interrogation, the petitioners confessed to being militia members of the Maoist party. They revealed that they had been instructed by top leaders, including Bade Chokkarao Damodar and Koyada Sambaiah Azad, to carry out subversive activities during the party's 20th-anniversary celebrations, which were being observed from September 21 to October 20.

3. Heard Ms.Meghana Addala, learned counsel for petitioners, and Mr. Syed Yasar Mamoon, learned Additional Public Prosecutor appearing for respondent – State.

4. Learned counsel for the petitioners submitted that the allegations leveled against the petitioners do not meet the ingredients for the alleged offences, and that there is no incriminating evidence to connect them with the other accused. She contended that they are falsely implicated in the case due to their membership in the ST Community and that the only evidence against them is their forced confession statement. She asserted that they are in judicial remand since

September 22, 2024, and the same is unwarranted, and that they are entitled to regular bail. She asserted the innocence of petitioners stating that they are law-abiding citizens from respectable families, and are ready to cooperate with the prosecution and abide by any conditions imposed by this Court while granting bail. Therefore, prayed this Court to grant bail to the petitioner by allowing this Criminal Petition.

5. Learned Additional Public Prosecutor vehemently opposed the submissions made by learned counsel for petitioners and submitted that there are serious allegations against the petitioners which would directly connect them to disturb the peace and tranquility of the society and that in the interest of public at large, the question of granting bail to the petitioners, would not arise. Therefore, prayed this Court to dismiss the Criminal Petition.

6. Having regard to the rival submissions made and on going through the material placed on record, it is noted that the primary allegation leveled against the petitioners is that they are sympathizers of banned Communist Party of India (Maoist) party, and were allegedly involved in a conspiracy. It

is further noted that they are in jail since September 22, 2024. Furthermore, the material part of the investigation is completed and till date no charge sheet is filed in the case even after completion of 90 days of judicial custody of petitioners. Considering the period of incarceration of petitioner in jail and the fact that the material investigation is already completed, this Court deems it fit to grant bail to the petitioner, subject to following the below 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 I Additional Sessions Judge, Hanamkonda.
- ii. The petitioners shall appear before the concerned SHO at 11:00 a.m., on every Monday for a period of eight (8) weeks, for the purpose of investigation, and thereafter, as and when required.
- iii. The petitioners shall abide by the conditions stipulated in Section 482(2)

of BNSS (previously known as Section
437(3) of Cr.P.C.).

7. Accordingly, the Criminal petition is allowed.

Miscellaneous applications, if any pending, shall stand
closed.

K. SUJANA, J

Date: 30.01.2025
PT

THE HONOURABLE SMT JUSTICE K. SUJANA

CRIMINAL PETITION No.712 of 2025

Date: 30.01.2025

PT