

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.793 of 2025

ORDER:

Seeking the Court to enlarge the petitioner who is arrayed as accused No.2 in S.C.No.36 of 2023 on the file of I Additional District and Sessions Judge at Sangareddy, on bail, the present Criminal Petition is filed.

2. The brief facts of the case are that on 30.07.2021 the accused persons killed husband of the *de-facto* complainant over money disputes. Hence, a case was registered *vide* Crime No.223 of 2021 before the Sangareddy (R) Police, Sangareddy, for the offences punishable under Section 302 read with 34 of the IPC and Section 75 of IPC.

3. Heard Sri C.Vasundhara Reddy, 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 the petitioner was attending the trial Court regularly, Non-Bailable Warrants were issued against the petitioner as he

was absent on 14.11.2024. He *thirdly* submitted that absence on 14.11.2024 is neither wanton nor willful but only due to his ill-health. He *fourthly* submitted that the petitioner has been in judicial custody since 10.12.2024, causing undue hardship to his family and that the allegations are false and fabricated. He *fifthly* submitted that the petitioner is resident of Sangareddy District, 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.1398 of 2024, was dismissed by the I Additional District and Sessions Judge at Sangareddy, on 24.12.2024, 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 petitioner is not cooperating with the trial proceedings, 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 apparent that on 14.11.2024, the petitioner has not attended the trial Court due to his ill-health. Hence, since the petitioner is languishing in jail

from 10.12.2024 and also charge sheet is filed after completion of the investigation, 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.10,000/- (Rupees Ten Thousand only) each, with two sureties for a like sum each to the satisfaction of the I Additional District and Sessions Judge, Sangareddy.
- ii. The petitioner shall cooperate with the trial proceedings by appearing before the concerned Court whenever his presence is required as the charge sheet is filed before the concerned Court.
- 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: 29.01.2025
gms

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