

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.1369 of 2025

ORDER:

This Criminal Petition is filed under section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 praying the Court to enlarge the petitioner who is accused No.A.4 in F.I.R.No.153 of 2024 of Gudihatnoor Police Station, Adilabad District, on bail. The offences alleged against the petitioner are under Sections 109, 311 and 62 of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS').

2. The case of the prosecution is that on 26.12.2024, the defacto complainant lodged a complaint stating that he is working in Durga Wines as a salesman since one year and on the date of incident, when he was going to his house, at about 09.00 hours, he closed the wine shop and took some amount with him. Meanwhile, some unknown offenders wearing mask to their faces, attacked him and sprinkled chilli powder and tried to take the money bag. On raising hues and cries, one person came to the place of offence and on seeing the unknown offenders fled away from the place of incident. Later police arrested A.1 and basing on

his confession statement, this petitioner is also implicated in this case.

3. Heard Sri Soma Ravi Kiran Reddy, learned counsel for the petitioner and learned Additional Public Prosecutor appearing for the respondent-State.

4. The contention of learned counsel for the petitioner is that petitioner is no way concerned with this offence. He is innocent of the said offences and he is in jail from 29.12.2024 and there is no progress in the investigation. As such, prayed to grant bail to the petitioner.

5. On the other hand learned Additional Public Prosecutor opposed bail on the ground that investigating officer filed application for conducting of Test Identification Parade which is pending and police have to conduct Test Identification Parade for identification of accused. Hence, prayed the Court to dismiss this petition.

6. Considering the submissions made by both the counsel and the material on record, the petitioner herein is in jail from 29.12.2024 and the alleged offences against the petitioner are

under Sections 109, 311 and 62 of BNS. Further there is no description of the offenders in the report filed by the complainant. Considering the said circumstances, this Court deems it fit to grant anticipatory bail to the petitioner subject to the following conditions :

- i. The petitioner/A.4 shall execute a personal bond for a sum of Rs.10,000/- (Rupees Ten Thousand only), with two sureties for a like sum each to the satisfaction of Judicial First Class Magistrate at Boath.
- ii. The petitioner/A.4 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 petitioner/A.4 shall abide by the conditions stipulated in Section 437 (3) of Cr.P.C.

7. Accordingly, the Criminal Petition is allowed.

Miscellaneous applications, if any pending, shall stand closed.

Date :07.02.2025
Rds

K. SUJANA, J

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Rds