

THE HONOURABLE SMT JUSTICE K. SUJANA

CRIMINAL PETITION No.1406 of 2025

ORAL ORDER:

The present Criminal Petition is filed seeking the Court to enlarge the petitioner, who is arrayed as accused No.1 in Crime No.09 of 2025 of Mudhole Police Station, Nirmal District, on bail.

2. The brief facts of the case are that de facto complainant filed a complaint on 12.01.2025, stating that her husband, Jondle Karun, was killed by her uncle, Jondli Ramdas/petitioner, and others over a dispute regarding 9 acres of agricultural land and tenant money. The dispute began when her husband asked his father about the tenant money, leading to a heated argument between her husband and petitioner. On 11.01.2025, during the death anniversary of her cousin brother, the petitioner and others allegedly beat her husband, who later died. Thereby, the police registered a case against the petitioners and others, for the offences punishable under sections 103, 49, and 3(5) of the Bharatiya

Nyaya Sanhita (BNS), which was later altered to Sections 108 r/w 3(5) of BNS.

3. Heard Sri Soma Ravi Kiran Reddy, learned counsel for petitioner, and Sri Syed Yasar Mamoon, learned Additional Public Prosecutor appearing on behalf of the respondent - State.

4. Learned counsel for the petitioner submitted that the petitioner is innocent and falsely implicated in the subject crime. He further submitted that the Police arrested the petitioner without sufficient evidence and that the complaint and remand report lack specific details of his involvement. He contended that since the material witnesses, including the investigation Officer, have been examined, the further detention of petitioner is unnecessary. He averred that the petitioner has been in judicial remand at Sub-Jail Nirmal since 13.01.2025, and his family is put to prejudice due to the same. Therefore, he 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 allegations leveled against the petitioner are serious in nature. Therefore, at this stage, the question of granting of bail to the petitioner does not arise. Hence, he prayed the Court to dismiss the criminal petition.

6. After considering the submissions made by both learned counsel and reviewing the material available on record, this Court holds that the remand report indicates that the deceased committed suicide. The sole allegation against the petitioner is that he along with other accused, abetted the commission of suicide. Given that the petitioner has been incarcerated since 13.01.2025, and the material part of the 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 learned Judicial Magistrate of First Class, Bhainsa.

- ii. The petitioner 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 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.

K. SUJANA, J

Date: 10.02.2025
PT

THE HONOURABLE SMT JUSTICE K. SUJANA

CRIMINAL PETITION No.1406 of 2025

Date: 10.02.2025

PT