

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.1937 of 2025

ORDER:

Seeking the Court to enlarge the petitioner who is arrayed as accused No.7 in Crime No.127 of 2025 of Uppal Police Station, Medchal Malkajgiri District, on bail, the present Criminal Petition is filed.

2. The brief facts of the case are that on 24.01.2025 when the *de-facto* complainant was walking in front of his house and using his mobile phone, the accused persons came from behind in the said car and beaten the *de-facto* complainant mercilessly. As a result, the *de-facto* complainant sustained bleeding injuries. Hence, a case was registered *vide* Crime No.127 of 2025 before the Uppal Police, Rachakonda, for the offences punishable under Section 118(1) read with 3(5) of the BNS.

3. Heard Sri. Baglekar Akash Kumar, 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 case with false and fabricated allegations. He *thirdly* submitted that except omnibus allegations, there are no specific allegations levelled against the petitioner. He *fourthly* submitted that all the material witnesses were examined, and further detention of the petitioner is unnecessary. He *fifthly* submitted that the petitioner has been in judicial custody since 30.01.2025, causing undue hardship to his family. He *sixthly* submitted that the petitioner is resident of Bhadradi Kothagudem 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.53 of 2025 was dismissed by the I Additional Sessions Judge, Medchal Malkajgiri District at Kushaiguda, on 06.02.2025, 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 involved in other cases

with similar offences and also the investigation is not yet completed, 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 except omnibus allegations, there are specific allegations levelled against the petitioner. Hence, since the petitioner is languishing in jail from 30.01.2025 and also 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.20,000/- (Rupees Twenty Thousand only) each, with two sureties for a like sum each to the satisfaction of the VI Additional Metropolitan Magistrate, Medchal Malkajgiri District at L.B.Nagar.
- ii. The petitioner shall appear before the concerned SHO at 11:00 a.m., on every Monday for a period of eight (8) week or till filing of charge sheet whichever is earlier, 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.(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: 17.02.2025
gms

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