

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.2039 of 2025

ORDER:

Seeking the Court to enlarge the petitioner who is arrayed as accused in COR No.479 of 2024 of Prohibition and Excise Police Station, Sulthanabad, Peddapalli District, on bail, the present Criminal Petition is filed.

2. The brief facts of the case are that the Sulthanabad Police conducted raid and seized the contraband as the accused persons are buying and selling the contraband illegally to the general public in order to earn money in an ease manner and also registered a case vide COR No.479 of 2024 of Prohibition and Excise Police Station, Sulthanabad, Peddpalli District, for the offences punishable under Section 7(a) read with 8(c) of the Telangana Prohibition Act.

3. Heard Ms. P.Sumalatha, 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. She *secondly* submitted that the petitioner

was astonished to receive the notice of forfeiture of bond for good behaviour as he never involved any crimes. She *thirdly* submitted that breach of bond is neither willful nor want but only due to unstable financial condition of the petitioner. She *fourthly* submitted that all the material witnesses were examined, and further detention of the petitioner is unnecessary. She *fifthly* submitted that the petitioner has been in judicial custody since 04.02.2025, causing undue hardship to his family. She *lastly* submitted that the petitioner is resident of Peddapalli District, with movable and immovable properties, and is willing to furnish sureties as directed 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 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 the petitioner committed breach of bond as he was not financially stable to pay the said amount. Hence, since the petitioner is languishing in jail from 04.02.2025 and also material part of

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.15,000/- (Rupees Fifteen Thousand only) each, with two sureties for a like sum each to the satisfaction of the Mandal Executive Magistrate Court, Kalvasrirampur, Peddapalli District.
- 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: 19.02.2025
gms

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