

**THE HONOURABLE SMT JUSTICE K. SUJANA**

**CRIMINAL PETITION No.2201 of 2025**

**ORDER:**

The present Criminal Petition is filed praying this Court to enlarge the petitioners on bail who are arrayed as accused Nos.7 and 10 in Crime No.85 of 2025 of Saroornagar Police Station, registered for the offences punishable under Sections 61 (2), 110, 143 (1), 318 (4) r/w.111, 3 (5) of Bharatiya Nyaya Sanhita, 2023 and under Sections 18(1), 19 and 19A of Transplantation of Human Organs and Tissues Act, 1994.

2. The case of the prosecution is that on 25.01.2025, police received a complaint from Dr.M.Geetha, wherein she stated that on 21.01.2025 in the afternoon, they received credible information that Alakananada Hospital situated at Doctors Colony, Saroornagar illegally conducting Nephrology surgery, they inspected the hospital premises and found that Dr.Sumanth had established the Alakananda Hospital, one Laxman contacted Dr.Avinash stating that two women from Tamilnadu were willing to give their kidneys due to financial difficulties and some other persons of Karnataka who required

Kidneys and they agreed for a price of Rs.55 lakhs for each kidney transplantation. Dr.Avinash informed Dr.Sumanth who gave permission for surgery on 17.01.2025 and illegally transplanted kidneys without permission. Basing on the said complaint, the police registered the case against the petitioners for the above offences.

3. Heard Sri Rapolu Bhaskar, learned counsel for the petitioner and learned Additional Public Prosecutor appearing for the respondent-State

4. The contention of learned counsel for the petitioners is that petitioners are shown as Operation Theatre Technician and Anesthesia Technician. According to the petitioners they are no way connected to this offence. Petitioners are the employees of this hospital, they performed their duties as per their job chart and they are not aware of the said illegality and they have followed the instructions of the Doctor. As such prayed to grant bail to the petitioners.

5. On the other hand, learned Additional Public Prosecutor vehemently opposed bail stating that petitioners in conspiracy conducted surgery without any permission knowingly and that

the offenses alleged are serious in nature. As such prayed this Court to dismiss this petition.

6. Considering the submissions made by both the counsel and the material on record, petitioners herein are remanded to judicial custody on 25.01.2025. As seen from the record, 24 witnesses were already examined and these petitioners are shown as Technicians in the hospital. The main allegations are against A.1 and A.2. Considering the same, this Court deems it appropriate to grant bail to the petitioners subject to the following conditions:

- i. The petitioners/A.7 & A.10 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 V-Additional Junior Civil Judge-cum-V-Additional Metropolitan Magistrate at L.B.Nagar, Ranga Reddy District.
- ii. The petitioners/A.7 & A.10 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 petitioners/A.7 & A.10 shall abide by the conditions stipulated in Section 482(2) of BNSS (previously known as Section 437 (3) of Cr.P.C.)

7. Accordingly, the Criminal Petition is allowed.

Miscellaneous applications, if any pending, shall stand closed.

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**K. SUJANA, J**

Date: 27.02.2025

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