

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.2547 of 2025

ORDER:

Seeking the Court to enlarge the petitioner who is arrayed as accused in FIR.No.02/RCT-ACB-KMM/2025 of ACB Police Station, Khammam District, on bail, the present Criminal Petition is filed.

2. The brief facts of the case are that on 24.01.2025 de facto complainant lodged a complaint stating that while working as a cook for Malladi Nagaraju, she applied for a new ration card on 18.03.2024. The petitioner, who was involved in processing the application, visited her home, collected family details, and later demanded a bribe of Rs.3,000/- to expedite the process. When Vajram's name didn't appear on the list of new ration card holders on 21.01.2025, she called the petitioner, who again demanded the bribe. Vajram ultimately paid Rs.2,500/-, and the petitioner was caught and apprehended by ACB officials, leading to his judicial remand.

3. Heard Sri Karunakar Reddy, learned counsel appearing on behalf the petitioner as well as Sri T. Bala Mohan Reddy,

learned Standing Counsel appearing on behalf of the respondent.

4. Learned counsel for the petitioner submitted that the petitioner is innocent and falsely implicated in the case, stating that he did not commit any offence. He further submitted that as the 23rd Ward officer in Sathupally Municipality, the petitioner was involved in issuing new ration cards and allotting Indiramma houses to underprivileged communities. The petitioner submitted applications and details of applicants, including the de facto complainant, to the Gramasabha, but only eligible candidates were selected. The petitioner alleges that the complainant and another individual, Nagaraju, manipulated them into a bribery situation near Bharath Juice Centre, which led to their arrest by ACB officials. The petitioner denies demanding any bribe and claims to be a victim of malicious intent. He further submitted that the petitioner is in judicial custody since 28.01.2025, and are willing to provide sureties for bail, emphasizing that this is his first bail application. Therefore, he prayed the Court to grant bail to the petitioner by allowing this Criminal Petition.

5. On the other hand, learned Standing Counsel appearing on behalf of the respondent filed counter affidavit denying the averments made by the learned counsel for the petitioner stating that Sri Vinod demanded a bribe of Rs.3,000/- to process her ration card application. On 27.01.2025, the ACB recorded a conversation between the complainant and Sri Vinod, where he demanded Rs.2,500/-. The bribe was paid, and Sri Vinod was arrested. He further submitted that the ACB officials recovered the tainted currency notes and conducted a chemical test, which yielded a positive result. The petitioner is currently in judicial custody. The case is under investigation, and the prosecution argues that there is prima facie evidence against the petitioner, making it a grave economic offence. Learned standing counsel further submitted that requisition for recording the statements of witnesses is yet to be filed before the concerned Court. Therefore, he prayed the Court to dismiss the criminal petition.

6. In light of the submissions made by both the learned counsel and upon a perusal of the material available on record, it appears that the petitioner has been in jail since

January 27, 2025. Furthermore, statements under Section 164 Cr.P.C. (Section 183 of BNSS) have been recorded, and a substantial part of the investigation has been completed. Considering the facts and circumstances of the case, as well as the petitioner's incarceration, 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), with two sureties for a like sum each to the satisfaction of the Special Court for SPE and ACB Cases-cum-III Additional District and Sessions Judge, Warangal.
- 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, this Criminal Petition is allowed.

Miscellaneous applications, if any pending, shall stand closed.

K. SUJANA, J

Date: 06.03.2025
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