

THE HONONOURABLE SRI JUSTICE J. SREENIVAS RAO

CRIMINAL PETITION No.3752 of 2025

ORDER:

This Criminal Petition is filed under Sections 480 and 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS) seeking bail to the petitioner/accused in F.I.R. No.1/ACB-ADB/2025 of ACB Adilabad Police Station, Adilabad District, registered for the offence under Section 7(a) of the Prevention of Corruption Act, 1988.

2. Heard Mr. K. Venumadhav, learned counsel for the petitioners, and Mr. T. Bala Mohan Reddy, learned Standing Counsel for ACB - respondent State.

3. The brief facts of the case are that on 23.09.2024 at about 18.00 hours, the *de facto* complainant gave a complaint stating that his father worked for about five years as a Veterinary Assistant in the Primary Veterinary Centre, Udayanayak Thanda of Utnoor Mandal, Adilabad District. On 25.07.2024, his father was transferred to Primary Veterinary Centre, Namoor Village and Mandal of Adilabad District. The salary of his father was pending for two months i.e, October and November, 2023. As his father suffering from ill-health, on 23.09.2024 at about 12.00 hours he met the petitioner for Last Pay Certificate and Non-Payment Certificate, for which the petitioner demanded him to pay

bribe of Rs.30,000/-. On that, he requested the petitioner that his father is facing financial problems and he could not afford to pay the bribe. The petitioner refused his request and the same was conveyed to his father. On the suggestion of his father, he reported the matter to the ACB.

4. Learned counsel for the petitioner submitted that the petitioner has not committed any offence and he was falsely implicated in the present crime. The petitioner never demanded the bribe from the *de facto* complainant and mere recovery of the amount does not amount to committing the offence. The petitioner earlier approached this Court and filed CrI.P.No.2522 of 2022 for grant of bail and the same was dismissed on the ground that the statement of the *de facto* complainant under Section 183 (5) of the BNSS was not recorded. According to him, the statement of the *de facto* complainant was recorded on 13.03.2025. The petitioner was arrested on 30.01.2025 and since then he has been in judicial custody. The petitioner is having movable and immovable property at Adilabad. The petitioner is ready to abide by the conditions, which are going to be imposed by this Court, and he shall cooperate with the investigation. Hence, the petitioner may be enlarged on bail.

5. Learned Standing Counsel has not disputed that the statement of the *de facto* complainant under Section 183(5) of BNSS was recorded on

13.03.2025. However, the petitioner has committed grave offence and so far five witnesses were examined. Hence, the petitioner is not entitled for grant of bail, at this stage.

6. Having considered the rival submissions made by respective parties and after perusal of the material available on record, it reveals that the petitioner was arrested on 30.01.2025 and since then, he is in judicial custody. Even according to both the parties, material part of the investigation is completed and five witnesses were examined. Further, the statement of the *de facto* complainant was recorded under Section 183(5) of the BNSS. Taking into consideration the facts and circumstances of the case, this Court is inclined to grant bail to the petitioner, subject to the following conditions:

- (i) The petitioner shall execute a personal bond for a sum of Rs.50,000/-(Rupees fifty thousand only) with two sureties for a like sum each to the satisfaction of the Special Judge for trial of SPE and ACB Cases at Karimnagar.
- (ii) The petitioner shall appear before the concerned Investigating Officer at 11.00 a.m. on every Monday for a period of eight (8) weeks or till filing of the charge sheet, whichever is earlier, for the purpose of investigation, and thereafter, as and when required.
- (iii) The petitioner shall abide by the other conditions stipulated in Section 437(3) of Cr.P.C., presently Section 480(3) of BNSS.

(iv) The petitioner shall not interfere with the investigation and influence any witnesses.

7. Accordingly, the Criminal Petition is allowed.

Miscellaneous applications, pending if any, shall stand closed.

J. SREENIVAS RAO, J

Date: 24.03.2025

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