

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.12322 of 2025

ORAL ORDER:

Seeking the Court to enlarge the petitioner, who is arrayed as accused No.4 in Crime No.301 of 2025 of Dundigal Police Station, Cyberabad Commissionerate, on bail, the present Criminal Petition is filed.

2. The brief facts of the case are that the alleged theft of 11 goats from the shed of Mohammed Pasha, a mutton shop owner in Bowrampet Village, Dundigal, on 22.03.2025 between 00:00 and 04:00 hours. The complainant reported the theft at 10:30 AM on the same day. The petitioner was arrayed as Accused No.4 in Crime No.301 of 2025 under Section 303(2) BNS. The petitioner had no direct allegation against him in the FIR, and his name was reportedly introduced based on confessional statements of co-accused. No stolen property, weapon, or other incriminating evidence was recovered from him.

3. Heard Sri L. Ravi Chander, learned Senior Counsel representing Sri Mayur Mundra, learned counsel appearing on

behalf of the petitioner as well as Sri D. Arun Kumar, learned Additional Public Prosecutor appearing on behalf of the respondent – State.

4. Learned counsel for the petitioner submitted that the petitioner was innocent and had been falsely implicated to bolster the prosecution case and that the alleged offence was not grave, punishable with less than seven years' imprisonment, and custodial detention was therefore unnecessary. He further submitted that the petitioner had pre-existing health issues, including total blindness and a recent hand fracture requiring ongoing medical care, and that his continued detention would cause severe hardship to his dependent family. It was also submitted that the petitioner had no prior criminal record. Therefore, he 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 same stating that the allegations leveled against the petitioner are serious in nature. Apart from this case, there are other 31 cases pending against the petitioner. He further submitted that the investigation was not yet

completed. Therefore, at this stage, granting of bail to the petitioner does not arise and prayed the Court to dismiss the criminal petition.

6. In the light of the submissions made by both learned counsel and upon perusal of the material available on record, it appears that the petitioner has been in custody since 13.08.2025 and that all the alleged offences relate to the year 2025. As seen from the record, the petitioner was arrayed as an accused based on the confessional statements of other accused. Further, the petitioner is running a medical shop and has undergone surgery for a comminuted fracture at the base of the 5th metacarpal of the right hand, which was treated with ORIF using a 3H Mini Locking Plate (Titanium) 2.0 mm. Considering the facts and circumstances of the case, as well as the disability of the petitioner, 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) each, with two sureties for a like sum

each to the satisfaction of the VIII Additional Judicial Magistrate of First Class, Medchal.

- 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: 24.09.2025
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