

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.14477 OF 2025

ORDER :

This criminal petition is filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 by the petitioner/A.2 seeking anticipatory bail in connection with Crime No.342 of 2025 of Asifabad Police Station, Kumurambheem Asifabad. The offence alleged against the petitioner is under Section 318 (4) of Bharatiya Nyaya Sanhita, 2023.

2. The case of the prosecution is that the defacto complainant lodged a complaint before police stating that he is working as Branch Manager Chola Mandalam Investment and Finance Company Limited. It is stated that A.1 obtained loan for purchasing Honda Activa 110 CC and thereafter it is known that A.2 is using the same. Further A.1 also purchased Air Conditioner, Inverter and Ola Electric Scooter by obtaining loan. Later when requested for repayment, he has not repaid the same. As such, requested the police for necessary action basing on which the police registered the case against the accused for the said offence. However, though notice under Section 35 (3) of

BNSS is issued to the registered address of A.2, as he has not responded to the said notice, a petition was filed before the trial Court to arrest the petitioner.

3. Heard Sri Mohammed Rahail Ahmed, learned counsel for the petitioner and Sri D.Arun Kumar, learned Additional Public Prosecutor appearing for the respondent-State.

4. The contention of learned counsel for the petitioner is that petitioner is innocent of the said allegations and the amount involved is only Rs.95,000/-. Further the offence alleged is punishable below seven years and petitioner is ready to cooperate with the investigation. The petitioner has not received any notice under sections 35(3) of BNSS, as such, he has not responded. Hence, prayed this Court to grant bail to the petitioner.

5. On the other hand, learned Additional Public Prosecutor opposed bail stating that though notice under Section 35(3) of BNSS is issued, petitioner is not cooperating with the investigating officer. As such, prayed to dismiss this petition.

6. Considering the submissions made by both parties, it is seen that the offences alleged against the petitioner are punishable below seven years, this Court deems it fit to grant anticipatory bail to the petitioner/A.2 subject to the following conditions :

- i. The petitioner/A.2 shall surrender before the Station House Officer, Asifabad Police Station, Komurambeem Asifabad District within two weeks from today, and on such surrender, the said Station House Officer shall release the petitioner on bail on his executing a personal bond for Rs.25,000/- (Rupees Twenty five Thousand only) with two sureties, for the like sum each.
- ii. The petitioner/A.2 shall appear before the concerned SHO at 11:00 a.m., on every Wednesday for a period of eight (8) weeks, for the purpose of investigation and thereafter, as and when required.
- iii. The petitioner/A.2 shall abide by the other conditions stipulated in Section 482(2) of BNSS and co-operate with the Investigating Officer in investigating the case.

7. Accordingly, the Criminal Petition is allowed.

Miscellaneous petitions, if any, pending shall stand closed.

Date : 14.11.2025
Rds

K. SUJANA, J

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