

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.16128 of 2024

ORDER:

This Criminal Petition is filed under section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of pre-arrest bail to the petitioner who is arrayed as accused in Crime No.122 of 2024 of Karimnagar-I Town Police Station, Karimnagar.

2. The brief facts of the case are that on 23.02.2024 at 21.00 hours *de-facto* complainant lodged a complaint before the Police stating that he had worked as an accountant in Pavan Agencies for 12 years and stopped to work in the month of August, 2023. It is stated that from January 2021 to August 2023 the accused created dummy firms on the name of Thanuja Enterprises and Om Shakthi Enterprises and opened an accounts in different banks and transferred an amount of Rs.1,04,02,621/- to his accounts from Pavan Agencies Axis Bank through RTGS without the knowledge of *de-facto* complainant. Hence, the case was registered vide Crime No. 122 of 2024 of Karimnagar-I Town Police Station, Karimnagar, for the offences punishable under Sections 408

and 420 of IPC. Thereafter, during the course of investigation, the Sections of law were altered to Sections 120-B, 409, 420, 467, 468, 471 read with 34 of IPC.

3. Heard Sri Gummalla Bhasker Reddy, learned counsel appearing on behalf of the petitioner as well as Sri Syed Yasar Mamoon, learned Additional Public Prosecutor appearing on behalf of the respondent.

4. Learned counsel for the petitioner *firstly* submitted that the petitioner is innocent and she is no way concerned with the alleged offences. He *secondly* submitted that the allegations against the petitioner is that the amount transfer to her account and there is no other allegations leveled against this petitioner and she is implicated only to pressurize the accused No.1 and obtain money from him under the threat of arrest of the petitioner, who is none other than his wife. He *thirdly* submitted that the accused Nos.2 and 3 have already released on bail in same crime. He *fourthly* submitted that previously, bail application of the petitioner, *vide* Crl.M.P.No.544 of 2024, was dismissed by the Special Judge for Trial of Cases under SCs and STs (POA) Act cum III Additional District and Sessions Judge, Karimnagar, on 18.12.2024, without valid reasons. He *lastly* submitted that

the petitioner is resident of Vallampad, Karimnagar District, with movable and immovable properties, and is willing to furnish sureties as directed and prayed the Court to grant of anticipatory bail to the petitioner by allowing this criminal petition.

5. On the other hand, learned Additional Public Prosecutor opposed the submissions made by the learned counsel for the petitioner stating that the allegation leveled against the petitioner is serious in nature and the investigation is not yet completed and therefore, granting anticipatory bail to the petitioner, at this stage, does not arise. Hence, he prayed the Court to dismiss the criminal petition.

6. After considering submissions from both the parties and material available on record, it is apparent that except Sections 409 and 467 of IPC, remaining Sections of the petition shows that the punishment prescribed for the offences alleged against the petitioner is less than seven (07) years. It is pertinent to note that the accused Nos.2 and 3 already granted bail in same crime and material part of investigation investigation is completed. Therefore, considering the facts and circumstances of the case, this

Court is of the considered view that it is a fit case for granting of anticipatory bail to the petitioner.

7. Accordingly, this petition is allowed granting anticipatory bail to the petitioner subject to the following conditions:

- i. The petitioner shall surrender before the Station House Officer of P.S.Karimnagar I Town within two weeks from today, and on such surrender, the said Station House Officer shall release him on bail on executing a personal bond for Rs.25,000/- with two sureties, for the like sum each.
- 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 other conditions stipulated in Section 482(2) of Bharatiya Nagarik Suraksha Sanhita, 2023.

Miscellaneous applications, if any pending, shall stand closed.

K. SUJANA, J

Date: 03.01.2025

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