

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.16167 of 2024

ORDER:

Seeking the Court to enlarge the petitioner who is arrayed as accused No.1 in Crime No.1048 of 2024 of S.R.Nagar Police Station, Hyderabad, on bail, the present Criminal Petition is filed.

2. The brief facts of the case are that on 18.11.2024, while the *de-facto* complainant, along with his friends, celebrating his friend's birthday at hotel room, the accused persons besides attacking the *de-facto* complainant and his friends, also threatened them with dire consequences using filthy language. Hence, a case was registered vide Crime No.1048 of 2024 before the S.R.Nagar Police, Hyderabad, for the offences punishable under Section 109 read with 3(5) of the BNS.

3. Heard Sri Baglekar Akash Kumar, learned counsel appearing on behalf of the petitioner as well as Sri Syed Yasar Manoon, learned Additional Public Prosecutor appearing on behalf of the respondent-State.

4. Learned counsel for the petitioner *firstly* submitted that the petitioner is innocent and he is no way concerned with the alleged offences. He *secondly* submitted that though there is no corroborative evidence, the petitioner was implicated in the

case with false and fabricated allegations. He *thirdly* submitted that charge sheet is filed after completion of the investigation, and further detention of the petitioner is unnecessary. He *fourthly* submitted that the petitioner has been in judicial custody since 20.11.2024, causing undue hardship to his family. He *fifthly* submitted that the petitioner is resident of S.R.Nagar, Hyderabad, with movable and immovable properties, and is willing to furnish sureties as directed. He *lastly* submitted that previously, bail application of the petitioner, *vide* Crl.M.P.No.5545 of 2024, was dismissed by the Additional Sessions Judge for the Trial of Communal Offence cases-Cum-VII Additional Sessions Judge-Cum-XXI Additional Chief Judge, Hyderabad, on 16.12.2024, without valid reasons and 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 submissions made by the learned counsel for the petitioner stating that there are serious allegations against the petitioner and charge sheet is also filed after completion of the investigation, therefore, granting 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 reviewing the record, since the petitioner is languishing in jail

from 20.11.2024 and charge sheet is filed after completion of investigation, this Court deems it fit to grant bail to the petitioners subject to the following conditions:

- i. The petitioner shall execute a personal bond for a sum of Rs.20,000/- (Rupees Twenty Thousand only) each, with two sureties for a like sum each to the satisfaction of the III Additional Chief Judicial Magistrate, Hyderabad.
- ii. The petitioner shall cooperate with the trial proceedings by appearing before the concerned Court whenever his presence is required as the charge sheet is filed before the concerned Court.
- 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: 03.01.2025
gms

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