

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.16235 of 2024

ORDER:

This Criminal Petition is filed under section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 for granting of pre-arrest bail to the petitioners in Crime No.109 of 2021 of Ichoda Police Station, Adilabad District.

2. The brief facts of the case are that the accused persons besides trespassing into the house of the *de-facto* complainant, they also beaten the *de-facto* complainant mercilessly with an intention to kill him by presuming that the *de-facto* complainant obstructing to conduct the Ursu festival. Hence, a case was registered vide Crime No.106 of 2021 before the Itchoda Police, Adilabad District, for the offences punishable under Sections 147, 148, 452, 307, 427 and 120(b) read with 149 of the IPC.

3. Heard Sri S.Surender Reddy, learned counsel appearing on behalf of the petitioners as well as Sri Syed Yasar Manoon, learned Additional Public Prosecutor appearing on behalf of the respondent-State.

4. Learned counsel for the petitioners submitted that the petitioners are innocent and they are no way concerned with

the alleged offences. He further submitted though there is no corroborative evidence, the petitioners were implicated in the case with false and fabricated allegations. He also submitted that the petitioners are residents of Ichoda Mandal, Adilabad District and are willing to furnish sureties as directed. Hence, he prayed the Court to grant anticipatory bail to the petitioners.

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

6. Having regard to the submissions made by both the parties and a perusal of the material placed on record, it is apparent that crime pertains to the year 2021 and there are no incriminating evidence on record to prove the alleged offences against petitioners. It is pertinent to note that material part of the 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 petitioners.

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

- i. The petitioners shall surrender before the Station House Officer of P.S. Ichoda, Adilabad District, within two weeks from today, and on such surrender, the said Station House Officer shall release them on bail on executing a personal bond for Rs.25,000/- with two sureties, for the like sum each.
- ii. The petitioners shall appear before the concerned Station House Officer on every Monday between 9:00 A.M. to 10 P.M., for a period of eight (08) weeks or till filing of charge sheet whichever is earlier.
- iii. The petitioners shall abide by the other conditions stipulated in Section 482(2) of Bharatiya Nagarik Suraksha Sanhita, 2023 and co-operate with the Investigating Officer in investigating the case.

Miscellaneous applications, if any pending, shall stand closed.

K. SUJANA, J

Date: 07.01.2025
gms

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