

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.16230 of 2024

ORDER:

Seeking the Court to enlarge the petitioners who are arrayed as accused Nos.1 to 4 in Crime No.230 of 2024 of Duggondi Police Station, Warangal, on bail, the present Criminal Petition is filed.

2. The brief facts of the case are that out of the wedlock between the *de-facto* complainant and daughter of accused No.1, they blessed with three children. Thereafter, when matrimonial disputes arose between the couple, accused Nos.1 to 4 besides attacking the *de-facto* complainant, also threatened him with dire consequences. Hence, a case was registered vide Crime No.230 of 2024 before the Duggondi Police, Warangal, for the offences punishable under Sections 109 read with 62, 292, 115(2) and 351(2) read with 3(5) of the BNS.

3. Heard Sri Madiraju Prabhakar Rao, 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 *firstly* submitted that the petitioners are innocent and they are no way concerned with the alleged offences.. He *secondly* submitted

that though there is no corroborative evidence, the petitioners were implicated in the case with false and fabricated allegations. He *thirdly* submitted that all the material witnesses were examined, and further detention of the petitioners is unnecessary. He *fourthly* submitted that accused Nos.1 to 3 and 4 have been in judicial custody since 28.11.2024 and 04.12.2024, respectively, causing undue hardship to their families. He *fifthly* submitted that the petitioners are residents of Duggondi, Warangal, with movable and immovable properties, and are willing to furnish sureties as directed. He *lastly* submitted that previously, bail application of the petitioners, *vide* Crl.M.P.Nos.556 and 566 of 2024, were dismissed by the I Additional Sessions Judge at Warangal, on 17.12.2024, without valid reasons and prayed the Court to grant bail to the petitioners by allowing this criminal petition.

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 bail to the petitioners, 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 accused Nos.1 to 3 and 4 are

languishing in jail from 28.11.2024 and 04.12.2024, respectively and also material part of investigation is completed, this Court deems it fit to grant bail to the petitioners subject to the following conditions:

- i. The petitioners 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 I Additional Sessions Judge at Warangal.
- ii. The petitioners 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 petitioners 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: 06.01.2025

gms

THE HONOURABLE SMT JUSTICE K. SUJANA

CRIMINAL PETITION No.16230 of 2024

Date: 06.01.2025

gms