

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.16421 of 2024

ORDER:

Seeking the Court to enlarge the petitioner in Crime No.532 of 2024 of Mangalhat Police Station, Hyderabad, on bail, the present Criminal Petition is filed.

2. The brief facts of the case are that on 13.10.2024, as per the pre-plan, the accused murdered the deceased due to the previous enmity in respect of property issue. Hence, a case was registered a case vide Crime No.532 of 2024 before the Mangalhat police, Hyderabad, for the offences punishable under Section 103(1) read with 3(5) of the BNS.

3. Heard Sri N.Venkataiah, 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 all the material witnesses were examined, and

further detention of the petitioner is unnecessary. He *fourthly* submitted that the petitioner has been in judicial custody since 15.10.2024, causing undue hardship to his family. He *fifthly* submitted that the petitioner is resident of 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 CrI.M.P.No.5203 of 2024, was dismissed by the IV Additional Sessions Judge at 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 the investigation is not yet completed, 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 15.10.2024 and also material part of investigation is completed, this Court deems it fit to grant bail to the petitioner subject to the following conditions:

- i. The petitioner 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 XVI Additional Chief Judicial Magistrate at Hyderabad.
- 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 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: 09.01.2025

gms

THE HONOURABLE SMT JUSTICE K. SUJANA

CRIMINAL PETITION No.16421 of 2024

Date: 09.01.2025

gms