

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

CRIMINAL PETITION No. 16349 of 2014

ORDER :

The petitioners, who are accused Nos.1 to 3 in Crime No.458 of 2014 of Subedari Police Station, Warangal Urban, filed the present application under Sections 437 & 439 Cr.P.C. seeking enlargement on bail in the above crime registered for the offences punishable under Sections 364-A, 506-II IPC and 386 r/w 34 IPC.

Though the present application is filed seeking bail to the petitioners, the learned counsel for the petitioners seeks permission to withdraw the criminal petition in so far as the petitioners 2 and 3 are concerned. Permission as sought for is accorded and the criminal petition is dismissed as withdrawn in so far as the petitioners 2 and 3/A.2 and A.3 are concerned.

The case of the prosecution is that the informant lodged a report stating that he is a doctor by profession and running a clinic in the name and style "Varun Children Clinic" at Huzurabad. It is stated in the report that since two months some unknown persons were calling to the cell phone of the informant and threatening with dire consequences if he fails to stop practice in Huzurabad. In spite of the said threat, the informant was continuing with his practice. On 21.08.2014 at about 11.00 p.m. the informant left to his house located at Subedari, Hanamkonda on his car. After proceeding to some distance, four unknown persons came in an Innova car, stopped it in front of the car of the informant, got into the car of the informant, fisted and tied his hands back, shifted him to Innova car, took his cell phone and called his wife demanding her to pay Rs.30.00 lakhs as ransom failing which threatened to do away the informant. Thereafter, the wife of the informant is said to have arranged a sum of Rs.21.00 lakhs to the said persons promising to provide the remaining amount later. After

collecting the said amount, the said persons released the informant and threatened him not to disclose the matter to anybody. Basing on these allegations, the above report came to be registered.

The learned counsel for the 1st petitioner/A.1 submits that the 1st petitioner is in jail from 29.10.2014 and as the entire investigation is over, the petitioner may be released on bail. The learned Public Prosecutor opposed the application.

The investigation done by the police till date, which is reflected in the remand report, would disclose that on the date of the offence, all the accused hatched a plan to abduct the informant who is a doctor and running a clinic at Huzurabad. Since August 2014, the accused started making phone calls to the informant threatening him to stop practice in Huzurabad. As the informant did not heed to the request of the accused, they hatched a plan to abduct him for a ransom which successfully executed on 21.08.2014. The averments in the remand report further disclose that after intercepting the vehicle of the informant, A.2 to A.4 boarded his car, threatened him with a knife, dragged him from his car and thrown him in the back seat of Innova car. Then, A.2 and A.3 tied the hands of the informant with a rope and A.4 occupied the driver seat of the car, drove the car towards Gopalapur and reached Devannapet village. A.1 followed A.2 to A.4 and later all of them threatened the informant with dire consequences on the point of a knife and demanded him to arrange Rs.30.00 lakhs. They took the mobile phone of the informant and called to his wife informing her about the abduction and demanded Rs.30.00 lakhs as ransom. After negotiations, the wife of the informant agreed to pay a sum of Rs.21.00 lakhs promising to provide the remaining amount later. A.2 told the wife of the informant to pay the amount to the driver of the Innova car which would reach her house within a short time. After payment of Rs.21.00 lakhs, the informant was released. The

averments in the remand diary disclose that about 15 days later, suspecting that the informant would lodge a report, the accused called him and again threatened him with dire consequences. On 28.10.2014, A.1 & A.3 were apprehended at Waddapally and they disclosed about the commission of the offence. Pursuant to the same, cash was also recovered from them. The averments in the report do prima facie disclose the offences alleged. Since the investigation is still pending and in view of the apprehension of the learned Additional Public Prosecutor that there is every likelihood of the 1st petitioner tampering with the evidence if he is released on bail, the request of the 1st petitioner is rejected though he is in jail from 29.10.2014.

Accordingly, the Criminal Petition is dismissed in so far as the 1st petitioner is concerned.

JUSTICE C. PRAVEEN KUMAR

19th January, 2015
cbs

THE HONOURABLE SRI JUSTICE C. PRAVEEN KUMAR

CRIMINAL PETITION NO. 16349 of 2014

19th January, 2015

cbs