

THE HONOURABLE SRI JUSTICE RAJA ELANGO

CRIMINAL PETITION No.4884 of 2015

ORDER:

The petitioner, who is accused No.1 in Crime No.66 of 2015 of Bahadurpura Police Station, Hyderabad, registered for the offences punishable under Sections 147, 148, 302, 201 and 212 read with 149 and 120-B IPC and Section 25(1)(b) of the Indian Arms Act, filed this petition under Section 438 of Cr.P.C., seeking anticipatory bail.

Heard and perused the material available on record.

The allegation against the petitioner is that the petitioner along with other accused committed murder of the brother of the de facto complainant due to some previous enmity.

Learned counsel for the petitioner submitted that except the confession of the co-accused, there is no other material available on record to connect the petitioner with the offence and only on the basis of complaint, the name of the petitioner was found place in the FIR. He further submitted that the allegation of the petitioner paying Rs.10,000/- for purchase of daggers and knife, is highly improbable.

The earlier application for grant of anticipatory bail, by the petitioner was dismissed by this Court. Till date, there is no change of circumstances. Even though the confession is not admissible before the Court at the time of trial, it can be relied on for the purpose of investigating the matter. All the contentions raised by the petitioner are to be investigated into by the investigating agency. Further, in this type of cases, custodial interrogation is necessary to cull out the truth or otherwise of the allegations made by the de facto complainant. Hence, this Court is not inclined to grant anticipatory bail to the petitioner.

Accordingly, the Criminal Petition is dismissed.

RAJA ELANGO, J

June 12, 2015.

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