

THE HONOURABLE Dr.JUSTICE B.SIVA SANKARA RAO

CRIMINAL PETITION No.13907 of 2016

ORDER:

The petitioner is accused No.1 in Crime No.239 of 2016 of Vikarabad Police Station, Ranga Reddy District, registered for the offences punishable under Sections 307, 392, 504, 506 r/w 34 IPC, which is outcome of the report of 2nd respondent—defacto complainant, registered on 30.07.2016 at about 7.30 pm of alleged occurrence on 29.07.2016 at about 5.00 pm.

2) Heard learned counsel for the petitioner/ accused No.1 and learned Additional Public Prosecutor representing the State(TS). Perused the material on record.

3) The FIR does not mention with regard to the distance from police station to the place of occurrence. However from the very reading of FIR, it is clear that it is very near to the Vikarabad Court. When such is the case, it is very near from the place of occurrence to the police station, there is no explanation for the delay of more than one day and it is outcome of deliberations and consultations by false implication as per the argument of the learned counsel for the petitioner.

4) Having regard to the above, though there is a force in the submission, this is not a ground to stay the investigation when it is in the nasal stage and it is a fit case instead of keeping the matter pending, to give disposal from entitlement to concession of bail for no specific overtacts against the petitioner but for against the so-called Savan giving liberty to surrender and move for bail.

5) Accordingly and in the result, the application is disposed of giving liberty to the petitioner/ accused No.1 to surrender before the learned Magistrate concerned and with affidavit of surrender on even date move for regular bail before the learned Sessions Judge with notice to Public Prosecutor concerned and in such event, the learned Sessions Judge shall grant bail on the same day or atleast by next day with necessary conditions. Further remedies are left open in the event of police filing final report and taking cognisance, for any offence, by the learned Magistrate.

Date:30.09.2016
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Dr. B.SIVA SANKARA RAO J,



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Dt.30.09.2016

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