

THE HON'BLE SRI JUSTICE T. SUNIL CHOWDARY

CRIMINAL PETITION No.8900 of 2017

ORDER:

This petition is filed, by the petitioners-accused Nos.1, 4 and 5, under Sections 437 and 439 Cr.P.C., seeking bail in Crime No.316 of 2017 on the file of the Station House Officer, Siricilla Police Station, registered for the offences punishable under Sections 302, 120B and 201 I.P.C.

2. The learned counsel for the petitioners submitted that the petitioners were falsely implicated due to matrimonial disputes. He further submitted that even if the allegations made in the complaint are *ex facie* taken to be true and correct, no *prima facie* case is made out against the petitioners.

3. The learned Additional Public Prosecutor submitted that the investigation is in progress; therefore it is not a fit case to grant bail to the petitioners.

4. The case of the prosecution is that the petitioners along with other accused hatched a plan to kill the deceased in view of the previous disputes. In pursuance of the plan, the petitioners, along with other accused, had taken away the deceased to Chinthaltana Village and killed him.

5. The petitioners filed CrI.M.P.No.1195 of 2017 on the file of the Court of the III Additional Sessions Judge at Karimnagar and the same was dismissed on 12.09.2017.

6. A perusal of the record *prima facie* reveals the role played by the petitioners in the commission of the offences. A perusal of the

record reveals that petitioner No.1/A.1 is an accused in Crime No.321 of 2013 on the file of the Station House Officer, Siricilla Town Police Station, for the offence punishable under Section 332 I.P.C. Petitioner No.1 is also an accused in Crime No.198 of 2017 on the file of the Station House Officer, Siricilla Town Police Station, for the offences punishable under Sections 498-A, 143, 148, 448, 323, 324 and 307 read with 149 I.P.C. The record further reveals that petitioner No.3/A.5 is also an accused in Crime Nos.132 and 198 of 2017 on the file of the Station House Officer, Siricilla Town Police Station. The record also reveals that the investigation is in progress. As rightly pointed out by the learned Additional Public Prosecutor, if the petitioners are released on bail, the possibility of threatening the prosecution witnesses cannot be ruled out completely.

7. Taking into consideration the gravity of the offences alleged to have been committed by the petitioners and the stage of investigation, this Court is of the considered view that it is not a fit case to grant bail to the petitioners.

8. Accordingly, the Criminal Petition is dismissed.

T.SUNIL CHOWDARY, J

Date: 03.10.2017
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