

THE HON'BLE SRI JUSTICE U.DURGA PRASAD RAO

CRIMINAL PETITION No.4415 of 2017

ORDER.

Petitioner/A19 seeks regular bail in Crime No.44 of 2017 of Dubbaka Police Station, Siddipet District, registered for the offences under Sections 307, 504 and 506 read with 149 IPC and later, the offence under Section 302 of I.P.C. was included.

The defacto complainant P.Renuka reported to the police that on hearing the news that some disputes were going on between parents and her uncles, she along with her husband went to Dubbaka, on 6-4-2017 at about 10 A.M., On that evening around 5.30 P.M., when herself, her husband, her younger brother and her parents were at their home in B.C.Colony, all the accused which include her uncles and some other villagers came there and due to disputes pending between them in connection with a vacant site, they proclaimed as if the parents of the complainant were practicing sorcery and they forcibly brought her parents from the house and tied to a current pole and pored kerosene and set them ablaze. On her report, case was registered as a crime No.44 of 2017 and investigation is reported to be pending.

Pleading bail, learned counsel for the petitioner/A.19 would submit that the petitioner is innocent and he was roped in the offence due to personal grudges and the complainant has not specifically spoken about the presence and participation of petitioner/A.19 in the offence and that he is suffering with diabetes, ear and eye problems and thus prayed for bail.

Opposing the bail application, learned Additional Public Prosecutor would submit that it is a case where most of the villagers went on frenzy on false notion that the deceased were practicing sorcery and also due to disputes between the family of the deceased and the uncles of the complainant and they set them ablaze. He would submit that though the name of the petitioner was not specifically mentioned, still the complainant has referred as some of the villagers also participated in the offence. Further, in the confessional statement of A.2, it is specifically mentioned about the presence and participation of all the accused including the petitioner/A.19. He would further submit that, prohibitory order under 144 Cr.P.C. was proclaimed in the village, tension is still prevailing and if at this stage, bail is granted to the petitioner, he will certainly try to threaten the witnesses who are his co-villagers. He thus prayed for dismissal of bail application.

As can be seen from the record, no doubt in F.I.R., the name of petitioner/A.19 is not specifically mentioned. However, it must be noted that F.I.R. is not encyclopedia in respect of an offence. The subsequent investigation reveals the complicity of A.19. There is a strong prima facie case against the petitioner/A.19 and others. C.D. file shows that investigation is still pending and charge sheet is yet to be filed.

Having regard to the gravity of offence and pending investigation and also the propensity of petitioner/A.19 meddling with investigation and tampering evidence, it is not a fit case to grant bail at this stage.

Bail application is accordingly dismissed.

As a sequel, miscellaneous applications pending, if any, shall stand closed.

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U.DURGA PRASAD RAO,J

Dated 29-6-2017.

Dvs



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