

**HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH**

TUESDAY, THE FOURTEENTH DAY OF NOVEMBER,
TWO THOUSAND AND SEVENTEEN

:PRESENT:
THE HON'BLE DR. JUSTICE SHAMEEM AKTHER

CRL.P .No. 10762 of 2017

Between:

- 1 Balasubramanyam Banoth, S/o. Heera Singh,
aged about 18 years, Occ: Student,
R/o. Gandhi Thanda, H/o. Kollapur, Gudur, Khammam District.
- 2 Ravinder Bhukya, S/o. Dharma,
aged about 24 years, Occ: Student,
R/o. Gandhi Thanda, H/o. Kollapur, Gudur, Khammam District.

..... Petitioners/
A1 & 2

AND

The State of Telangana, Rep. by its Public Prosecutor, High Court of Judicature at
Hyderabad, through P.S. Gudur.

.....Respondent/State

Petition under Section 438 of Cr.P.C. praying that in the circumstances stated in the petition filed herein, the High Court may be pleased to direct the police to release the petitioners on bail in the event of their arrest in connection with Crime No.163 of 2017, dated 25-08-2017, on the file of the Gudur Police Station.

The petition coming on for hearing, upon perusing the Petition filed in support thereof and upon hearing the arguments of Sri K.V.L. Narasimha Rao, Advocate for the petitioners and of the learned Additional Public Prosecutor (TG) for the respondent-State, the Court made the following

ORDER:

“This Criminal Petition, under Section 438 of Cr.P.C., is filed by the petitioners/accused Nos.1 and 2, seeking anticipatory bail in the event of their arrest in connection with Crime No.163 of 2017, on the file of Gudur Police Station, Mahabubabad District, registered for the offences punishable under Sections 290, 323, 306 r/w 34 and 511 r/w 34 IPC.

Heard the learned Counsel for the petitioners, learned Additional Public Prosecutor appearing for the respondent- State and perused the record.

The learned Counsel for the petitioners would submit that the allegations levelled against the petitioners are false; that they are not responsible for the alleged incident; and that they are students. The learned Counsel ultimately prayed to allow this Criminal Petition.

As per the report lodged by the defacto-complainant with the Police on 25-08-2017, there were exchange of words between the petitioners and the daughter of the defacto-complainant. There is specific mention in the report that the petitioner/accused No.1 abused the victim, who is also a student, by uttering as 'Broker munda, and moving in Mahabubabad' and beat the victim on her back in the presence of neighbours. On that, the victim got insulted and consumed pesticide brought by her father to the house for agricultural purpose. Thereafter, she was taken to hospital and survived. There is specific grave overt act against the petitioner-accused No.1. Therefore, it is not appropriate to grant anticipatory bail to him.

In view of the nature of allegation against petitioner/accused No.2, he can be enlarged on bail.

In the result, the petitioner/accused No.2 is directed to surrender before the Station House Officer, Gudur Police Station, Mahabubabad District, within 15 days from the date of this order and on such surrender, the said Station House Officer shall release him on bail, on his executing a personal bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties for a like sum each to the satisfaction of the said Station House Officer. On release, the petitioner/accused No.2 is directed to attend before the Station House Officer, Gudur Police Station, Mahabubabad District, on every Sunday between 9:00 a.m., and 10:00 a.m., till filing of the charge sheet. Further, the petitioner/accused No.2 shall abide by the conditions mentioned under Section 438 (2) Cr.P.C. and co-operate with the Investigation Officers.

Accordingly, the Criminal Petition to the extent of the petitioner/accused No.2 is allowed and the Criminal Petition to the extent of the petitioner/accused No.1 is dismissed."

ASSISTANT REGISTRAR

//TRUE COPY//

For ASSISTANT REGISTRAR

To

- 1 The Judicial Magistrate of First Class, Narsampet, Warangal District.
- 2 The Station House Officer, Gudur Police Station, Mahabubabad District.
- 3 One CC to Sri K.V.L. Narasimha Rao, Advocate (OPUC)
- 4 Two CCs to Public Prosecutor (TG), High Court of Judicature at Hyderabad. (OUT)
- 5 One spare copy.

HIGH COURT

DR.SA,J

DATE: 14-11-2017

ORDER

CRL.P. NO. 10762 OF 2017

DIRECTION



HIGH COURT

Nnr

Date of Drafting: 15-11-2017

DR.SA,J

DATE: 14-11-2017

ORDER

CRL.P. NO. 10762 OF 2017

DIRECTION

