

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

TUESDAY, THE TWENTY EIGHTH DAY OF NOVEMBER,
TWO THOUSAND AND SEVENTEEN

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

CRL.P .No. 11428 of 2017

Between:

Sattu Ramulu, S/o. Venkataiah,
aged 67 years, Occ; Retired M.R.O.,
R/o. H.No.3-4-164, Sai Nagar, Karimnagar. (A-1)

..... Petitioner/
Accused No.1

AND

The State of Telangana, rep. by Public Prosecutor, High Court of Judicature at
Hyderabad through S.H.O., P.S., Karimnagar II Town.

.....Respondent/
Complainant

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 enlarge the petitioner on bail in the event of his arrest in Crime No.387 of 2017 of P.S. Karimnagar, II Town, Karimnagar District, on such terms and conditions.

The petition coming on for hearing, upon perusing the Petition filed in support thereof and upon hearing the arguments of Sri M. Ram Mohan Reddy, Advocate for the petitioner/accused No.1 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 the Code of Criminal Procedure, 1973, is filed by the petitioner/accused No.1, for grant of anticipatory bail in the event of his arrest in Crime No.387 of 2017 on the file of the Karimnagar II Town Police Station, Karimnagar District, registered for the offence punishable under Section 354 read with 109 of I.P.C.

2. Heard the learned counsel for the petitioner/accused No.1, learned Additional Public Prosecutor representing the respondent-State and perused the record.

3. The learned counsel for the petitioner/accused No.1 would submit that the petitioner/accused No.1 is innocent person and falsely implicated in this case. In fact, the de-facto complainant, along with her relatives and members of Mahila Mandali, came to the house of the petitioner/accused No.1 situated at Karimnagar on 23.10.2017 at 05:30 AM and damaged the household articles, beat the petitioner/accused No.1 and created galata. The said incident was videographed. A report was also lodged with the police on the same day and the police have registered a case against the de-facto complainant and others for the offences punishable under Sections 448, 324, 427 read with 34 of I.P.C. and issued F.I.R.No.383 of 2017, dated 23.10.2017. As a counter-blast to the said case, the present case is foisted against the petitioner/accused No.1 and others by the de-facto complainant and ultimately prayed to allow the application.

4. On the other hand, the learned Additional Public Prosecutor opposed for grant of bail to the petitioner/accused.

5. The submissions made by the learned counsel for the petitioner/accused No.1 are borne by record placed before this Court. The alleged occurrence of the incident, as mentioned in the present Crime No.387 of 2017, dated 24.10.2017, requires investigation. Though there is an allegation against the petitioner/accused No.1 that he outraged the modesty of the de-facto complainant, there is also an allegation against the de-facto complainant and others for causing hurt to the petitioner/accused No.1 and creating nuisance in his house. The photographs relating to the damage caused to the house of the petitioner/accused No.1 by the de-facto complainant and others are also filed before this Court. Having regard to the submissions made by the learned counsel for both the sides, this Court is inclined to grant bail to the petitioner/accused No.1 under Section 438 of Cr.P.C. on some conditions.

6. Accordingly, the petitioner/accused No.1 is directed to surrender before the Station House Officer, Karimnagar II Town Police Station, Karimnagar District, within a period of 15 days from the date of this order. On such surrender, the Station House Officer, Karimnagar II Town Police Station, Karimnagar District, shall release the petitioner/accused No.1 on bail on his executing a personal bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties in a like sum each to his satisfaction. After being released on bail, the petitioner/accused No.1 shall report before the Station House Officer, Karimnagar II Town Police Station, Karimnagar District, on every Sunday between 09:00 AM and 10:00 AM, till filing of the charge-sheet. The petitioner/accused No.1 shall also abide by the conditions stipulated in Section 438 (2) of the Code of Criminal Procedure, 1973, and shall cooperate with the investigation officer in the investigation of the case.

7. The Criminal Petition is, accordingly, allowed.

Miscellaneous petitions, if any, pending in this Criminal Petition, shall stand closed.”

ASSISTANT REGISTRAR

//TRUE COPY//

For ASSISTANT REGISTRAR

To

- 1 The I Additional Sessions Judge, Karimnagar.
- 2 The Additional Judicial Magistrate of First Class, at Karimnagar.
- 3 The Station House Officer, Karimnagar II Town Police Station, Karimnagar District.
- 4 One CC to Sri M. Ram Mohan Reddy, Advocate (OPUC)
- 5 Two CCs to Public Prosecutor (TG), High Court of Judicature at Hyderabad. (OUT)
- 6 One spare copy.

HIGH COURT

Dr.SA,J

DATE: 28-11-2017

ORDER

CRL.P. NO. 11428 OF 2017

DIRECTION



HIGH COURT

Nnr

Date of Drafting: 29-11-2017

Dr.SA,J

DATE: 28-11-2017

ORDER

CRL.P. NO. 11428 OF 2017

DIRECTION

