

**HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH
WEDNESDAY, THE TWENTY SECOND DAY OF NOVEMBER, TWO THOUSAND
AND SEVENTEEN**

**: PRESENT :
THE HONOURABLE DR JUSTICE SHAMEEM AKTHER**

CRLP .No. 11126 of 2017

Between:-

- 1.Chandapure Kantha Bai, W/o. Sangappa (A-3)
- 2.Chandapure Shashikala, W/o. Gajanand. (A-4)

..... Petitioners/Accused Nos. 3 & 4

AND

The State of Telangana, Through SHO, P.S., Bazarhathnoor, Adilabad District,
Rep. by its Public Prosecutor, High Court of Judicature at Hyderabad.

.....Respondent/Complainant.

Petition filed under Sections 437 & 439 of Cr.P.C. praying that in the circumstances stated in the Grounds of Criminal Petition, the High Court may be pleased to enlarge the Petitioners/Accused Nos. 3 & 4 on bail who are in jail in connection with Cr.No. 53 of 2017 of P.S. Bazarhathnoor, Adilabad District on such terms and conditions.

The petition coming on for hearing, upon perusing the memorandum of grounds filed in support thereof and upon hearing the arguments of Sri S. Surender Reddy, Advocate for the Petitioners and the Addl. Public Prosecutor(TS) for the Sole Respondent-State, the Court made the following **ORDER :-**

“This petition is filed under Section 439 Cr.P.C. to grant bail to the petitioners-A3 and A4 for the offences alleged under Sections 302 and 294 (b) r/w 34 IPC.

2. Heard learned counsel for the petitioners-A3 and A4, learned Additional Public Prosecutor representing the State and perused the record.

3. Learned counsel for the petitioners-A3 and A4 would submit that the petitioners-A3 and A4 are innocent persons and they were falsely implicated in this case. There are no specific overt acts against the petitioners-A3 and A4.

4. On the other hand, learned Additional Public Prosecutor opposed the grant of bail to the petitioners-A3 and A4.

5. As per the F.I.R. lodged with the police, the accusation against the petitioners-A3 and A4 is that they have followed A1 and A2 to the house of the deceased in this case. The deceased was also beaten by A1 and A2. The petitioners-A3 and A4 have abused the deceased in filthy language.

6. It is brought to the notice of this Court that the petitioner-A4 has got a baby of 1 ½ years. He is also along with his mother. Having regard to the nature of allegations i.e., abusing the deceased etc., and as the petitioners-A3 and A4 were remanded to judicial custody on 30.09.2017 and the material collected so far in this case, the petitioners-A3 and A4 can be enlarged on bail on some conditions.

Contd...2

7. In the result, the Criminal Petition is allowed and the petitioners-A3 and A4 are ordered to be released on bail, on each of them executing a personal bond for Rs.10,000/- (Rupees ten thousand only) with two sureties each in a like sum to the satisfaction of Judl. Magistrate of I Class, Boath, Adilabad District. On release, the petitioners-A3 and A4 shall attend before the S.H.O. concerned on every Sunday between 10.00 A.M. and 11.00 A.M. till filing of charge sheet.”

ASSISTANT REGISTRAR

//TRUE COPY//

for ASSISTANT REGISTRAR

To

- 1.The Special Judge for Trial of Cases under SCs/STs (POA) Act-cum-V Additional District and Sessions Judge, Adilabad.
- 2.The Judicial Magistrate of First Class, Boath, Adilabad District..
- 3.The Station House Officer, Bazarhathnoor Police Station, Adilabad District.
- 4.The Superintendent, District Jail, Adilabad.
- 5.Two CCs to Public Prosecutor(TS), High Court of Judicature at Hyderabad (OUT)
- 6.One CC to Sri S. Surender Reddy, Advocate(OPUC)
- 7.One spare copy.

TKK



HIGH COURT

DR.SA.J

DT.22-11-2017.

BAIL ORDER



CRL.P.No. 11126 of 2017

**RELEASE THE PETITIONERS
ON BAIL**

**DRAFTED BY TKK
DT.22-11-2017.**

HIGH COURT

DR.SA.J

DT.22-11-2017.



BAIL ORDER

CRL.P.No. 11126 of 2017

**RELEASE THE PETITIONERS
ON BAIL.**