

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

: PRESENT :

THE HONOURABLE DR JUSTICE SHAMEEM AKTHER

CRLP .No. 10823 of 2017

Between:-

- 1.Kathi Kranthi Kumar, S/o. Laxmana Murthy.
- 2.Ponnam Ramulu, S/o. Venkataiah,
- 3.Sathu Veerasomaiah, S/o. Shankaraiah.

..... Petitioners/Accused Nos.1 to 3

AND

The State of Telangana, Through S.H.O., P.S. Ghanpur,
Warangal District, Rep. by the Public Prosecutor,
High Court at Hyderabad, For the State of Telangana and Andhra Pradesh.

.....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. 1 to 3 on bail in connection with Crime No. 246 of 2016 of P.S. Ghanpur (W), Warangal District.

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

“Heard learned counsel for the petitioners/A.1 to A.3 and learned Additional Public Prosecutor for the respondent State, and perused the record.

This petition is filed under Section 439 Cr.P.C. for grant of regular bail to the petitioners/A.1 to A.3 in Crime No.246 of 2016 of Ghanpur Police Station, Warangal District, for the offences punishable under Sections 376(D), 324, 341 read with 354-B of Criminal Law Amendment Act, 2013 and 306 read with 511 IPC.

Learned counsel for the petitioners/A.1 to A.3 would submit that the entire prosecution is false. The petitioners are falsely implicated in this case. As per the FIR lodged by the victim’s brother, the case was registered under ‘Woman Burns’. There were two dying declarations wherein also the victim did not attribute anything against the petitioners/A.1 to A.3 and these petitioners/A.1 to A.3 were remanded to judicial custody on 13.10.2017.

Learned Additional Public Prosecutor opposed the grant of bail to the petitioners/A.1 to A.3.

As per the record, on three occasions, the victim did not disclose or attribute the allegations of rape, etc., against these petitioners when her statement was recorded under Section 164 Cr.P.C. by the learned Magistrate. The truthfulness or otherwise of the statement recorded under Section 164 Cr.P.C. is required to be decided during the course of trial.

Having regard to the submissions made by the learned counsel for the petitioners and in view of the inconsistent statements given by the victim, the petitioners/A.1 to A.3 can be released on bail on some conditions.

Cond...2...

In the result, the Criminal Petition is allowed, granting bail to the petitioners/A.1 to A.3 are ordered to be released on bail on each of them executing a personal bond of Rs.10,000/- (Rupees Ten Thousand only) with two sureties for a like sum each to the satisfaction of the learned IV Additional Judicial First Class Magistrate, Warangal. On such release, the petitioners/A.1 to A.3 shall attend before the Station House Officer, Ghanpur Police Station on every Saturday and Sunday between 9:00 and 10:00 a.m. till filing charge sheet."

Sd/- T. RANGA BABU,
ASSISTANT REGISTRAR

//TRUE COPY//

for ASSISTANT REGISTRAR

To

- 1.The Special Sessions Judge for Fast Tracking the cases relating to Atrocities Against Women-cum-IX Additional Sessions Judge, Warangal.
- 2.The IV Additional Judicial First Class Magistrate at Warangal.
- 3.The Station House Officer, Ghanpur Police Station, Warangal District.
- 4.The Superintendent, Central Jail, Warangal.
- 5.Two CCs to Public Prosecutor(TS), High Court of Judicature at Hyderabad (OUT)
- 6.One CC to Sri Mohammed Saleem, Advocate(OPUC)
- 7.One spare copy.

TKK



HIGH COURT

DR.SA.J

DT.15-11-2017.

BAIL ORDER



CRL.P.No. 10823 of 2017

**RELEASE THE PETITIONERS
ON BAIL**

**DRAFTED BY TKK
DT.16-11-2017.**

HIGH COURT

DR.SA.J

DT.15-11-2017.



BAIL ORDER

CRL.P.No. 10823 of 2017

**RELEASE THE PETITIONERS
ON BAIL.**