

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

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

CRL. P. NO:11346 of 2017

Between:

Pathapalli Harinath Prasad @ Hariprasad @ Balaji @ Prasad S/o. Seshacharyulu @
Seshaiah,

..... Petitioner/Accused No.1

AND

The State of Andhra Pradesh, rep. by Public Prosecutor, High Court of Judicature at
Hyderabad.

.....Respondent

Petition under Sections 437 & 439 of Cr.P.C., praying that in the
circumstances stated in the petition and the grounds filed herein, the High Court may be
pleased to enlarge the petitioner on Bail in Crime No. 146 of 2017 on file of the Kadapa I
Town U/G Police Station, Kadapa, YSR District in the interest of justice;

Counsel for the Petitioner : SRI V.R.REDDY KOVVURI

Counsel for the Respondent : ADDL. PUBLIC PROSECUTOR (AP)

The Court made the following ORDER:

**“This petition is filed under Section 439 Cr.P.C. to grant bail to the petitioner-A1
for the offences alleged under Sections 304-II, 344, 386, 354, 376, 406 and 409
r/w 34 IPC and Sections 4, 5 (c), 6 and 16 of POCSO Act, 2012.**

**2. Heard learned counsel for the petitioner-A1, learned Additional Public
Prosecutor representing the State and perused the record.**

**3. Learned counsel for the petitioner-A1 would submit that the petitioner-
A1 is innocent person and falsely implicated in this case.**

**4. On the other hand, learned Additional Public Prosecutor opposed the
grant of bail to the petitioner-A1.**

**5. As per the material placed on record, the petitioner-A1 was remanded to
judicial custody on 05.08.2017. The petitioner-A1 alleged to have sexually assaulted
9th class studying girl and caused the death of an old woman. The petitioner-A1 has
not provided adequate provisions for the inmates of the home. A2 was granted bail
on 08.11.2017. The petitioner-A1 is in jail from four months.**

6. Having regard to the nature of allegations and the material collected so far, the petitioner-A1 can be granted bail under Section 439 Cr.P.C.

7. In the result, the Criminal Petition is allowed and the petitioner-A1 is ordered to be released on bail on his executing a personal bond for Rs.20,000/- (Rupees twenty thousand only) with two sureties each in a like sum to the satisfaction of I Additional Judl. Magistrate of I Class, Kadapa. On release, the petitioner-A1 shall attend before the S.H.O. concerned on every Sunday, Wednesday and Saturday between 9.00 A.M. and 10.00 A.M. for a period of three months from the date of this order.”

ASSISTANT REGISTRAR

//TRUE COPY//

For ASSISTANT REGISTRAR

To

1. The I Addl. Sessions Judge, Kadapa.
2. The I Additional Judicial Magistrate of First Class, Kadapa.
3. The Station House officer, Kadapa I Town U/G Police Station, Kadapa, YSR Kadapa District
4. The Superintendent, Central Jail, Kadapa.
5. Two CCs to Public Prosecutor, (AP), High Court of Judicature, at Hyderabad (OUT)
6. one CC to Sri V.R. Reddy Kovvuri, Advocate (OPUC)
7. One Spare Copy



HIGH COURT

AB
DRAFTED ON 7-12-2017

DR.SA,J

DATE: 6-12-2017

ORDER

CRL.P. NO. 11346 OF 2017



BAIL