

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

MONDAY, THE TWENTIETH DAY OF NOVEMBER,
TWO THOUSAND AND SEVENTEEN

PRESENT

THE HON'BLE DR JUSTICE SHAMEEM AKTHER

CRL.P.No. 11021 of 2017

Between:

- 1 Pinnika Madhusudhana Rao S/o. Gangaiah,
- 2 Pinnika Mallika W/o. Lakshmipathi,
- 3 Pinnika Sarada W/o. Late Gangaiah

Petitioners/Accused- 2, 5 and 9

AND

The State of A.P., Rep. by its Public Prosecutor, High Court Buildings, Hyderabad.

Respondent/Complainant

COUNSEL FOR THE PETITIONERS: SRI. RAJA REDDY KONETI

COUNSEL FOR THE RESPONDENT: THE PUBLIC PROSECUTOR (AP)

Petition under Section 438 of Cr.P.C., praying that in the circumstances stated in the memorandum of grounds filed herein, the High Court may be pleased to enlarge the petitioners on bail in the event of their arrest in PRC No. 48/2017 on the file of I Additional Judicial First Class Magistrate, Markapur.

The Court made the following Order:

Heard learned counsel for the petitioners/A.2, A.5 and A.9, learned Additional Public Prosecutor for the respondent State, and perused the record.

This petition is filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioners/A.2, A.5 and A.9 for the offences punishable under Sections 143, 147, 148, 120(B), 323, 341 and 302 IPC read with Section 149 IPC in PRC No.48 of 2017 on the file of I-Additional Judicial First Class Magistrate, Markapur.

As per the record produced before this Court, charge sheet was filed in this case deleting the names of these petitioners. In the above case, on objections filed by the de facto complainant, the learned Magistrate has taken cognizance against these petitioners also. Admittedly, the de facto complainant is not an eyewitness to the alleged offence. Whether the petitioners are innocent or otherwise, can only be decided after due trial. However, in view of nature of material placed before this Court, the petitioners/A.2, A.5 and A.9 can be granted bail under Section 438 Cr.P.C.

In the result, the Criminal Petition is allowed, directing the petitioners/A.2, A.5 and A.9 to surrender before the learned I-Additional Judicial First Class Magistrate, Markapur, within 15 days from the date of this order. On such surrender, the learned Magistrate shall enlarge the petitioners/A.2, A.5 and A.9 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 his satisfaction.

ASSISTANT REGISTRAR

//TRUE COPY//

for ASSISTANT REGISTRAR

To

1. The I Additional Judicial First Class Magistrate, Markapur, Prakasam District.
2. The Station House Officer, Markapur Town Police Station, Markapur, Prakasam District.
3. Two CCs to Public Prosecutor (AP), High Court, Hyderabad (OUT)
4. One CC to Sri. Raja Reddy Koneti, Advocate (OPUC)
5. One Spare copy

KK



HIGH COURT

Dr.SAJ

DT. 20-11-2017

BAIL ORDER

CRL.P.NO. 11021 OF 2017

DIRECTION



Drafted by: KK
Drafted on: 21-11-2017

HIGH COURT

Dr.SAJ



DT. 20-11-2017

BAIL ORDER

CRL.P.NO. 11021 OF 2017

DIRECTION