

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

TUESDAY, THE TWENTY SIXTH DAY OF DECEMBER,
TWO THOUSAND AND SEVENTEEN
: PRESENT:

THE HON'BLE SMT JUSTICE **T.RAJANI**

CRIMINAL PETITION No. 12574 of 2017

Between:

Bellamkonda Nagaraja, S/o. B.Srinivasulu

Petitioner

(Accused No.9 in Cr.No.443/2017
of East P.S., Tirupati, Chittoor Dist)

AND

The State of Andhra Pradesh, rep .by its Public Prosecutor, High Court of Judicature at
Hyderabad, for the State of Telangana and the State of A.P.

Respondent/Complainant

Petition under Sections 437 & 439 of Cr.P.C. praying that in the circumstances stated in the grounds filed herein, the High Court may be pleased to release the petitioner/Accused No.9 on bail pending investigation, inquiry and trial in Crime No. 443/2017 of East Police Station, Tirupati, Chittoor District.

The Petition coming on for hearing, upon perusing the petition and the grounds filed herein and upon hearing the arguments of Sri D.Purna Chandra Reddy, Advocate for the Petitioner and of the Public Prosecutor (AP) for the Respondent, the Court made the following

ORDER:

“ This Criminal Petition is filed by the petitioner/A-9, under section 437 and 439 of Cr.P.C., seeking to enlarge him on bail, in Crime No. 443 of 2017 of East Police Station, Tirupati, Chittoor district, registered for the offences punishable under section 147, 148, 302, 506 read with section 149 of IPC.

2. Heard the learned counsel for the petitioner/A-9 and the learned Public Prosecutor for the respondent/State.

3. As per the complaint filed by Smt. Pedakanti Dharni, the deceased used to keep two Commander Jeeps and used them for hire. On 11/10/2017 at about 06:30 p.m., her brother-in-law Hari quarrelled with another person near taxi stand and the union members filed a case against her husband, P. Mohan and his brother P. Hari in East Police Station, Tirupati. On 14/10/2017 at 10:30 a.m. the drivers union members called her husband and his friend Jaleswar for mediation through phone. As her four wheeler was kept at the taxi stand, she went to the spot on her two wheeler, A-1 to A-10 were present, as they were drivers and they were quarrelling with her husband. All of a sudden the drivers gathered there and attacked her husband and some one beat with beer bottle on the head of the deceased.

4. The petitioner's counsel further contended that there is no overt act attributed to this petitioner. It cannot be assumed, that simply because this petitioner was among other persons, who attacked the deceased, had shared common intention. The complaint is to the effect that the deceased was called for taxi and later there was an attack and as to what transpired is not clearly stated in the complaint. Hence, the petitioner, who is in jail since 24/10/2017 can be enlarged on bail, in the background of the above facts.

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5. Accordingly, the petitioner/A-9 shall be released on bail in Crime No. 443 of 2017 of East Police Station, Tirupati, Chittoor district, on their executing a personal bond of Rs.40,000=00 (Rs. Forty Thousand only) with two sureties for the like sum each to the satisfaction of Judicial Magistrate of First Class, Tirupati, Chittoor district.

5. As a sequel, miscellaneous petitions if any, pending in this Criminal Petition shall stand closed.”

ASSISTANT REGISTRAR

// TRUE COPY //

for ASSISTANT REGISTRAR

To

1. The III Additional District & Sessions Judge, Tirupati, Chittoor District.
2. The II Judicial Magistrate of First Class, Tirupati, Chittoor District.
3. The Superintendent, Sub-Jail, Tirupati, Chittoor District.
4. The SHO, East Police Station, Tirupati, Chittoor District.
5. Two CCs to the Public Prosecutor (AP), High Court, Hyd(OUT)
6. One CC to Sri D.Purna Chandra Reddy, Advocate(OPUC)
7. One spare copy.

SAH



HIGH COURT

TRJ

DATED: 26-12-2017

ORDER

CRL.P.NO. 12574 OF 2017

BAIL GRANTED



DRAFTED BY: SAH
APPROVED BY:
DRAFTED ON: 28-12-2017

HIGH COURT

TRJ



DATED: 26-12-2017

ORDER

CRL.P.NO. 12574 OF 2017

BAIL GRANTED