

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

:PRESENT:

THE HON'BLE DR JUSTICE SHAMEEM AKTHER

CRLP .NO:11587 of 2017

Between:

1. Boyina Pydi Raju, S/o. Appanna, (A1)
2. Boyina Govindu, S/o. Appanna, (A2)

..... Petitioners/Accused

AND

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

.....Respondent/Complainant

Petition under Sections 437& 439 of Cr.P.C, praying that in the circumstances stated in the memo of grounds filed herein, the High Court may be pleased to direct release of the Petitioners on Bail pending enquiry and trial in connection with Crime No. 153 of 2017 of Anakapalli Rural Police Station, Visakhapatnam Rural District.

The petition coming on for hearing, upon perusing the Petition and the memorandum of grounds filed in support thereof and upon hearing the arguments of Sri T Nagarjuna Reddy, Advocate for the Petitioners, and of Public Prosecutor (AP) for Respondent, the Court made the following.

ORDER:

This Criminal Petition, under Section 439 of the Code of Criminal Procedure, 1973, is filed by the petitioners/accused Nos.1 and 2, for grant of bail in connection with Crime No.153 of 2017 on the file of the Anakapalli (R) Police Station, Visakhapatnam Rural, Visakhapatnam District, registered for the offences punishable under Sections 307, 109 read with 34 of I.P.C.

2. Heard the learned counsel for the petitioners/accused Nos.1 and 2, learned Additional Public Prosecutor representing the respondent-State and perused the record.

3. The specific allegation against the petitioner/accused No.1 is that he beat the de-facto complainant with a stick on head. It is alleged that the petitioner/accused No.2 instigated the petitioner/accused No.1 to beat the de-facto complainant. It is

brought to the notice of this Court that charge-sheet is already filed. The petitioners/accused Nos.1 and 2 were remanded to judicial custody on 27.10.2017. Having regard to the nature of allegations and since the charge-sheet is filed, the petitioners/accused Nos.1 and 2 have to prepare for their defence, this Court is inclined to grant bail to the petitioners/accused Nos.1 and 2 under Section 439 of Cr.P.C.

4. Accordingly, the petitioners/accused Nos.1 and 2 are ordered to be released on bail on their executing personal bonds for a sum of Rs.10,000/- (Rupees ten thousand only) each with two sureties in a like sum each to the satisfaction of the learned V Metropolitan Magistrate, Anakapalli, Visakhapatnam District.

5. The Criminal Petition is, accordingly, allowed.

Miscellaneous petitions, if any, pending in this Criminal Petition, shall stand closed.

ASSISTANT REGISTRAR

//TRUE COPY//

For ASSISTANT REGISTRAR

To

1. The V Metropolitan Magistrate, Anakapalli, Visakhapatnam Rural District
2. The Superintendent, Sub Jail, Anakapalli, Visakhapatnam District
3. The Station House Officer, Anakapalli Rural Police Station, Visakhapatnam Rural District
4. Two CCs to Public Prosecutor (AP), High Court, Hyderabad (OUT)
5. One CC to Sri T. Nagarjuna Reddy, Advocate (OPUC)
6. One spare copy

Skm

HIGH COURT

DR. SA,J

**Drafted by: skm
Drafted on: 05-12-2017**

DATE: 04-12-2017



ORDER

CRL.P. No. 11587 of 2017

DIRECTION