

**HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND STATE OF ANDHRA PRADESH
TUESDAY, THE TWENTY THIRD DAY OF JANUARY
TWO THOUSAND AND EIGHTEEN**

:PRESENT:

THE HON'BLE SMT. JUSTICE T. RAJANI

CRIMINAL PETITION NO: 201 OF 2018

Between:

1. Reddy Satyanarayana S/o Nagoor, Aged about 50 years, Hindu, Coolie, R/o Devaguptam Village, Allavaram Mandal, East Godavari District.
2. Reddi Balarama Krishna S/o Satyanarayana, Aged about 28 years, Pvt. Employee, R/o Plot No. 502, Gokul Plots, KPHB Colony, Kukatpally, Hyderabad.
3. Reddi Nagababu, S/o Satyanarayana, aged about 25 years, Hindu, Pvt. Employee, R/o Plot No. 502, Gokul Plots, KPHB Colony, Kukatpally, Hyderabad.

Petitioners/Accused No.1 to 3

AND

The State of Andhra Pradesh, rep. through Public Prosecutor, AP High Court, Hyderabad.

Respondent/Complainant

Counsel for the Petitioners : SRI PAPPU SRINIVASA RAO

Counsel for the Respondent : PUBLIC PROSECUTOR (AP)

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 petitioners on bail in Cr. No. 125 of 2017 of Allavaram Police Station, East Godavari District.

The Court made the following Order:

“his Criminal Petition is filed seeking for grant of bail to the petitioners, who are accused Nos.1 to 3, in Crime No.125 of 2017 on the file of the Allavaram Police Station, East Godavari District.

2. The offences alleged are under Sections 302, 307, 324, 506, 109, 212 r/w 34 of the Indian Penal Code, 1860.

3. Heard the learned counsel for the petitioners, learned Public Prosecutor appearing for the respondent-State, and perused the record.

4. The learned Public Prosecutor would bring to the notice of this Court that the earlier bail application was dismissed by this court by order, dated 20.12.2017, by considering the merits of the case, in Criminal Petition Nos.11955 and 11988 of 2017.

5. A perusal of the said order shows that the petitions were filed by the petitioners herein. This Court while disposing of the said petitions, after considering the merits of the case, observed that releasing the petitioners at that stage would hinder the investigation.

6. The learned Public Prosecutor now submits that the investigation is completed, except for filing of the charge sheet.

7. However, considering the nature of the allegations, this Court opines that this is not a fit case to grant bail to the accused No.2, who attacked the deceased with a spade. The discussion made in the order passed by this Court earlier shows that the Court observed that the petitioners are the persons who picked up the quarrel.

8. In the light of the above observations, the Criminal Petition in respect of petitioner No.2/accused No.2 is dismissed.

9. Considering the allegation against petitioners 1 and 3 that they beat the deceased with sticks and considering that the entire investigation is completed, the criminal petition in respect of petitioners 1 and 3 /accused Nos.1 and 3 is allowed. The petitioners/accused No.1 and 3 are directed to be enlarged on bail, on condition of each of their executing personal bonds for a sum of Rs.30,000/- (Rupees thirty thousand only) each with two sureties each for a like sum each to the satisfaction of the Additional Judicial Magistrate of First Class, Amalapuram, East Godavari district.

10. The learned Public Prosecutor submits that a direction may be given to the petitioners 1 and 3/accused Nos.1 and 3 to attend before the Police Station twice in a week, that otherwise there is a likelihood of further disputes arising.

11. Hence, the petitioners/accused Nos.1 and 3 are directed to appear before the Station House Officer, Allavaram Police Station, East Godavari District, on every Monday and Wednesday between 09:00 AM and 12:00 PM.

12. Accordingly, the Criminal Petition is partly allowed. As a sequel, the miscellaneous applications, if any pending, shall stand closed.”

ASSISTANT REGISTRAR

//TRUE COPY//

For ASSISTANT REGISTRAR

To

1. The II Additional Sessions Judge, East Godavari District, Amalapuram.
2. The Addl. Judicial First Class Magistrate, Amalapuram, East Godavari District.
3. The Superintendent, Sub Jail, Amalapuram, East Godavari District.
4. The Station House Officer, Allavaram Police Station, East Goadvari District.
5. Two CCs to Public Prosecutor, (AP), High Court of Judicature, at Hyderabad (OUT)
6. one CC to Sri Pappu Srinivasa Rao, Advocate (OPUC)
7. One Spare Copy



HIGH COURT

Ab
Drafted on 24-1-2018

TR,J

DATE; 23-1-2018

ORDER

CRL.P. NO. 201 OF 2018



BAIL