

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

WEDNESDAY, THE THIRTY FIRST DAY OF JANUARY,
TWO THOUSAND AND EIGHTEEN
: PRESENT:

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

CRIMINAL PETITION No. 451 of 2018

Between:

1. Allannagaru Murali, S/o. A.Ananda
2. Madayan Venakataraman, S/o. Teethan Madayan
3. Teethan Andi, S/o. Late Theethakari Teethan

Petitioners
(Accused 1 to 3 in Cr.No.118/2017
of Puthalapattu P.S., 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 petitioners/accused No. 1 to 3 on bail pending, inquiry and trial in PRC.No. 35/2017 on the file of the III Addl. Judicial Magistrate of First Class, Chittoor which arose out of Crime No. 118/2017 of Puthalapattu Police Station, 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 Petitioners and of the Public Prosecutor (AP) for the Respondent, the Court made the following

ORDER:

“ This Criminal Petition is filed seeking for grant of bail to the petitioners, who are accused Nos.1 to 3, in P.R.C. No.35 of 2017 on the file of III Additional Judicial Magistrate of First Class, Chittoor.

2. The offences alleged are under Sections 307, 353, 447, 427, 379, 411 and 120(b) R/w.34 of I.P.C. and Section 20(1)(d)(I) of the A.P. Forest (Amendment) Act, 2016 (for short, ‘the Act of 2016’) R/w. Section 20(1)(c)(ii)(iii)(iv) of the Act of 2016, Section 36 of the Act of 2016 R/w. Section 32(A) of the Act of 2016, Section 3 of the Prevention of Damage to Public Property Act, 1984 and Section 55(1) and (2) of the Bio Diversity Act, 2002 (for short, ‘the Act of 2002’), R/w. Sections 3, 4 and 6 of the Act of 2002.

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

4. Learned counsel for the petitioners submits that the petitioners do not have any bad antecedents prior to this case, and that the entire investigation completed and charge sheet is also filed.

5. On the other hand, learned Public Prosecutor contends that several cases were booked against these petitioners.

6. Learned counsel for the petitioners, in answer to the said submission, contends that prior to registration of the instant crime, no cases were pending against these petitioners. It is only after registration of this crime, the Police have shown the petitioners as accused in other cases.

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7. However, considering the fact that the petitioners are languishing in jail from 12.10.2017, and that entire investigation is completed and charge sheet is also filed, this Criminal Petition is allowed. Accordingly, the petitioners/accused Nos.1 to 3 are directed to be enlarged on bail, on condition of each of their executing a personal bond for a sum of Rs.20,000/- (Rupees twenty thousand only) with two sureties for a like sum each to the satisfaction of the III Additional Judicial Magistrate of First Class, Chittoor, Chittoor District. However, considering the contention of learned Public Prosecutor that the petitioners/accused Nos.2 and 3 hails from Tamil Nadu, there is every likelihood of their being not turning up for trial, if they are enlarged on bail, can be taken care of by imposing a condition that one surety of the petitioners shall be that of from the Government employee or a blood relative having immovable property worth Rs.20,000/- in their native village and the petitioners also shall execute a self bond for Rs.20,000/-.

As a sequel, the miscellaneous applications, if any pending, shall stand closed.”

ASSISTANT REGISTRAR

// TRUE COPY //

for ASSISTANT REGISTRAR

To

1. The I Additional District and Sessions Judge, Chittoor.
2. The III Additional Judicial Magistrate of First Class, Chittoor, Chittoor District.
3. The Superintendent District Jail, Chittoor.
4. the SHO, Puthalapattu Police Station, 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: 31-01-2018

ORDER

CRL.P.NO. 451 OF 2018

BAIL GRANTED



DRAFTED BY: SAH
APPROVED BY:
DRAFTED ON: 31-01-2018

HIGH COURT

TRJ



DATED: 31-01-2018

ORDER

CRL.P.NO. 451 OF 2018

BAIL GRANTED