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

TUESDAY, THE TENTH DAY OF APRIL, TWO THOUSAND AND EIGHTEEN

: PRESENT :

THE HONOURABLE SRI JUSTICE M. SATYANARAYANA MURTHY

CRLP .No. 3932 of 2018

Between:-

Royya Rajendra Prasad @ Prasad, S/o. Krishnaiah.

..... Petitioner/Accused No.11.

AND

The State of Telangana, through Nalgonda II-Town P.S.,
Rep. by its Public Prosecutor, High Court of Judicature at Hyderabad.

.....Respondent/Complainant.

Petition filed under Sections 437 & 439 of Cr.P.C. praying that in the
circumstances stated in the Grounds of Criminal Petition, the High Court may be
pleased to enlarge the Petitioner/Accused A-11 herein on regular bail in connection
with Crime No. 20 of 2018 on the file of Nalgonda II-Town P.S., Nalgonda District,
for the offence U/Sec. 302 r/w. 34 IPC.

The petition coming on for hearing, upon perusing the memorandum of grounds
filed in support thereof and upon hearing the arguments of Sri G.R. Sudhakar,
Advocate for the Petitioner and of Public Prosecutor(TS) on behalf of Respondent-
State, the Court made the following

ORDER :-

HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY

CRIMINAL PETITION No.3932 of 2018

ORDER:

This Criminal Petition, under Sections 437 and 439 Cr.P.C, is filed by the petitioner/A11 to enlarge the petitioner on bail in Crime No. 20 of 2018 of Nalgonda II Town Police Station, Nalgonda, Nalgonda District, registered for the offences punishable under Section 302, 202, and 212 read with 34 IPC.

Heard learned counsel for the petitioner/A11. learned Public Prosecutor appearing for the respondent-State and perused the record.

Learned counsel for the petitioner submitted that the role played by the petitioner is allegedly harboured A1 and A2, which attracts an offence punishable under Section 212 IPC.

Learned Public Prosecutor opposed to grant bail to the petitioner.

The case of the prosecution, in brief, is that the petitioner along with other accused allegedly caused the death of the deceased, who was an Ward Councilor of Nalgonda Municipality, and the specific role played by the petitioner is harboured A1 and A2 and that the remand report does not disclose the specific role played by the petitioner to attract the offence punishable under Section 302 IPC as the petitioner did not play major role in the commission of offence, except attributing common intention on account of political rivalry and the cause of death is A2 pelting boulder on the head of the deceased and subsequently, A1 beat the deceased with cement boulder on his chest part; meanwhile, A2

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beat the deceased on his head again with the cement boulder, which resulted in the death of deceased.

A6 to A10, who are similarly placed persons, were already enlarged on bail. Undisputedly, the petitioner is similarly placed with other accused, who were enlarged on bail, and by applying the principle of parity, the petitioner is also entitled to claim bail.

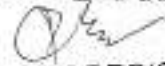
Hence, in view of the allegations made against the petitioner in the complaint and considering that the major part of investigation is completed, the question of interference of the petitioner in further investigation of the case does not arise. Further, taking into consideration the fact that the petitioner is languished in jail since 30.01.2018, I find that it is a fit case to enlarge the petitioner on bail.

Accordingly, the criminal petition is allowed and the petitioner/A11 is directed to be enlarged on bail on his 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 Judicial First Class Magistrate at Suryapet, Nalgonda District. Further the petitioner/A11 is directed to stay at Suryapet for a period of three months or till filing of the charge sheet, whichever is earlier, and report before the Station House Officer, Suryapet Town Police Station, twice in a week i.e. on every Wednesday and Sunday in between 03.00 PM and 06.00 PM.

In consequence, miscellaneous petitions, if any, pending in this petition shall stand closed.

//TRUE COPY//

SD/- K. TATA RAO
ASSISTANT REGISTRAR


for ASSISTANT REGISTRAR

To

- 1.The Judge, Family Court-cum-VI Additional Sessions Judge, Nalgonda.
- 2.The Special Judicial First Class Magistrate (Proh. & Excise Offences) *S. V. R. Reddy*,
at Nalgonda.
- 3.The Station House Officer, Nalgonda II Town Police Station, Nalgonda District.
- 4.The Superintendent, District Jail, Nalgonda Town, Nalgonda District.
- 5.Two CCs to the Public Prosecutor(TS), High Court at Hyd.(OUT)
- 6.One CC to Sri G.R. Sudhakar, Advocate(OPUC)
- 7.One spare copy.

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HIGH COURT

MSM.J

DT.10-04-2018.

BAIL ORDER

CRL.P.No. 3932 of 2018

RELEASE THE PETITIONER
ON BAIL



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