

THE HON'BLE SRI JUSTICE M. SATYANARAYANA MURTHY

CRIMINAL PETITION No.4433 OF 2018

ORDER:

This criminal petition, under Sections 437 and 439 of the Code of Criminal procedure, 1973 (for short 'Cr.P.C'), is filed to enlarge the petitioner/A.4 on bail in Crime No.20 of 2018 of Nalgonda II Town Police Station, Nalgonda District, registered for the offence punishable under Section 302, 202, 212, read with 34 of the Indian Penal Code, 1860 (for short 'I.P.C.').

The petitioner is in judicial custody since 28.01.2018.

The petitioner along with other accused allegedly caused injuries on the body of the husband of the *de facto* complainant (Municipal Chairperson of Nalgonda Municipality), forming themselves into a group and caused his death. The copy of F.I.R. is not placed on record, but only produced the remand report.

As seen from the allegations made in the remand report, A.1 to A.3 caused injuries on the body of the husband of the *de facto* complainant with granite boulders etc., though the petitioner was also a member of the group, he did not cause any injury on the body of the husband of the *de facto* complainant, but he provoked the other accused to kill the husband of the *de facto* complainant.

As on today the investigation is not completed, except examining few witnesses. Though, no specific overtact attributed to the petitioner, but he is one among the group members, who are 9 in number, and provoked the other accused to kill the husband of the *de facto* complainant. Therefore, the petitioner is also equally liable for the offence along with other accused, subject to truth

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during trial. At this stage, it is not fit case to enlarge the petitioner on bail.

Accordingly, the criminal petition is dismissed.

M. SATYANARAYANA MURTHY, J

Date: 20.04.2018
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