

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

THURSDAY, THE SEVENTEENTH DAY OF MAY, TWO THOUSAND AND
EIGHTEEN

: PRESENT :

THE HONOURABLE SRI JUSTICE T. SUNIL CHOWDARY

CRLP .No. 5497 of 2018

Between:-

- 1.Jakke Laxmi, W/o. Late Rajaiah
- 2.Jakke Suresh, S/o. Late Rajaiah.

..... Petitioners/Accused Nos. 1 & 2

AND

The State of Telangana, through SHO, Jammikunta, PS, Karimnagar District,
Rep. by Public Prosecutor, High Court of Judicature, Hyderabad.

.....Respondent.

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 on bail on connection with Crime No. 65 of 2018 on
the file of P.S. Jammikunta, Karimnagar District.

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

ORDER :-

THE HON'BLE SRI JUSTICE T. SUNIL CHOWDARY

CRIMINAL PETITION No.5497 of 2018

ORDER:

This petition is filed by the petitioners—accused Nos.1 and 2, under Sections 437 and 439 Cr.P.C., seeking bail in Crime No.65 of 2018 on the file of the Station House Officer, Jammikunta Police Station, Karimnagar District, for the offence punishable under Section 302 read with 34 of IPC.

2. The case of the prosecution is that on 24.3.2018, at about 04.30 hours, at Jammikunta village, the petitioners sprinkled chilli powder in the eyes of Jakya Naresh and beat him with pestle and iron rod respectively on his head and back. Due to the injuries caused by the petitioners, Naresh died. Basing on the report given by one Ramadevi, sister of the deceased, on 25.3.2018, the concerned SHO registered the above referred crime.

3. The learned counsel for the petitioners submitted that the petitioners are falsely implicated in this case due to the family disputes; therefore, it is a fit case to enlarge them on bail. *Per contra*, the learned Public Prosecutor representing the State submitted that investigation has been completed and the Investigating Officer prepared draft charge sheet.

4. A perusal of the record reveals that the petitioner Nos.1 and 2 are mother and brother of Jakya Naresh—the deceased respectively. The record further reveals that the petitioners were arrested on 25.3.2018 and remanded to judicial custody. The petitioners filed CrI.M.P.No.256 of 2018 on the file of the Court of Principal Sessions Judge, Karimnagar and the same was dismissed on 12.4.2018 on the ground that the investigation is in progress.

5. In this case, except filing of charge sheet, nothing remains to be investigated into. Even if the petitioners – accused Nos.1 and 2 are released on bail, there is no chance to tamper the prosecution witnesses.

6. Taking into consideration the facts and circumstances of the case, this Court is of the considered view that it is a fit case to grant bail to the petitioners. Petitioners – accused Nos.1 and 2 shall be released on bail on furnishing self-bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand Only) each with two sureties for a like sum each to the satisfaction of the Court of II Additional Judicial Magistrate of First Class, Huzurabad.

7. The Criminal Petition is, accordingly, allowed.

//TRUE COPY//

Sd/- G. RAJESHWARA RAQ,
ASSISTANT REGISTRAR

for ASSISTANT REGISTRAR

To

- 1.The Principal Sessions Judge, Karimnagar.
- 2.The Additional Judicial First Class Magistrate, Huzurabad, Karimnagar District.
- 3.The Station House Officer, Jammikunta Police Station, Karimnagar District.
- 4.The Superintendent, District Prison, Karimnagar.
- 5.Two CCs to the Public Prosecutor(TS), High Court at Hyd.(OUT)
- 6.One CC to Sri P. Devender, Advocate(OPUC)
- 7.One spare copy.
- 8.The II Additional Judicial Magistrate of First Class, Huzurnagar, Karimnagar District.

TKK

HIGH COURT

TSC.J

DT.17-05-2018.

BAIL ORDER

CRL.P.No. 5497 of 2018

RELEASE THE PETITIONERS
ON BAIL.



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