

THE HON'BLE DR.JUSTICE SHAMEEM AKTHER

CRIMINAL PETITION No.13349 OF 2018

ORDER:

This Criminal Petition, under Section 439 of the Code of Criminal Procedure, 1973, is filed by the petitioner/accused, for grant of bail in Crime No.214 of 2018 of Osmania University Police Station, Hyderabad, registered for the offence punishable under Section 302 of IPC.

2. Heard the learned counsel for the petitioner/accused and the learned Additional Public Prosecutor representing the respondent-State and perused the record.

3. Learned counsel for the petitioner/Accused would submit that the petitioner/accused was remanded to judicial custody on 08.08.2018. He also submitted that the entire investigation is completed and charge sheet is also filed. The petitioner is not responsible for the death of the deceased viz., K.Anusha and ultimately, prayed to allow the petition.

4. Learned Additional Public Prosecutor opposed the grant of bail to the petitioner/accused and ultimately, prayed to dismiss the petition.

5. As per the evidence collected by the prosecution, on 07.08.2018 around 6.30 P.M., the petitioner/accused took the deceased-K.Anusha, aged 16 years, who was studying Second year Intermediate M.P.C. in Narayana Junior College, after befriended with her, to an isolated place situated near Arts College, Railway Station and demanded the victim to marry him. When she refused, the petitioner/accused sliced her throat with a sharp shaving razor. Due

to that, the victim died on the spot. On seeing the accused with blood stained clothes, the passersby, i.e., L.Ws.4, 5 and 6, caught hold of the accused and handed over him to the police. There is also statement of L.W.7 with regard to his seeing the accused and the deceased together just before commission of the alleged offence. The offence alleged to have been committed by the accused is heinous and grave. The criminality and the gravity of the offence is high. In the event of release of the petitioner/accused on bail, he would certainly threaten the witnesses and would also try to win over them. The release of the petitioner/accused on bail would be hurdle for a free and fair trial of the subject criminal case. Under these circumstances, the petitioner/accused is not entitled for bail under Section 439 Cr.P.C.

6. The Criminal Petition is, accordingly, dismissed.

Date: 20.12.2018
ssp

DR. SHAMEEM AKTHER, J