

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

Criminal Petition No.13958 of 2018

ORDER:

This Criminal Petition, under Section 439 of the Code of Criminal Procedure, 1973, is filed by the petitioner/A.2, for grant of bail in Crime No.392 of 2018 of Balanagar Police Station, Cyberabad Commissionerate, registered for the offences punishable under Sections 302 read with 34 of I.P.C. and Section 3(2)(v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015.

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

3. The learned counsel for the petitioner/A.2 would contend that the petitioner/A.2 is an innocent person and falsely implicated in this case. He has nothing to do with the death of the deceased-K.Sudarshan Rao. The petitioner/A.2 has a permanent residence in Medchal District. He has landed property there and ultimately prayed to allow the application.

4. On the other hand, the learned Additional Public Prosecutor opposed for grant of bail to the petitioner/A.2.

5. There is specific mention that the petitioner/A.2 caused the death of the deceased-K.Sudarshan Rao in the evening hours of 20.11.2018. There are specific overt acts against him. Further, the subject death of the deceased-K.Sudarshan Rao was caused,

when the deceased did not comply the direction given. The punishment prescribed for the alleged offences would be imprisonment of life or death. The gravity of offence is high. Investigation is in progress. Release of the petitioner/A.2 on bail would hinder the investigation. It is not a fit case to allow this application under Section 439 of Cr.P.C. at this stage.

6. Hence, the Criminal Petition is dismissed.

Miscellaneous petitions, if any, pending in this Criminal Petition, shall stand closed.

31st December, 2018
Bvv

Dr. SHAMEEM AKTHER, J

