

HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

WEDNESDAY, THE THIRTIETH DAY OF JANUARY
TWO THOUSAND AND NINETEEN

:PRESENT:

THE HONOURABLE DR. JUSTICE SHAMEEM AKTHER
CRIMINAL PETITION NO: 219 OF 2019



Between:

1. Khalid Bin Sulaiman Alabusani, S/o Sulaiman Bin Abdullah Alabusani,
2. Tariq Bin Sulaiman Alabusani, S/o Sulaiman Bin Abdullah Alabusani,
3. Sulaiman Bin Abdullah Alabusani, S/o Abdullah Bin Saleem Alabusani,

Petitioner/Accused Nos. 1 to 3

AND

1. The State of Telangana, Rep. by its Public Prosecutor High Court at Hyderabad
For State of Telangana.

Respondent

Petition under Section 438 of Cr.P.C, praying that in the circumstances stated in the affidavit filed in support of the Criminal Petition, the High Court may be pleased to grant Anticipatory Bail to the Petitioners in Crime No.438 of 2018 of PS Pahadishareef and the direct the Police Pahadishareef to release the Petitioners on bail in the event of their arrest in Crime No 438 of 2018 upon such terms and conditions as this Honble Court deems fit and proper in the circumstances of the case.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof upon hearing the arguments of A NAJEEB KHAN Advocate for the Petitioners and the PUBLIC PROSECUTOR (TG) for the Respondent, the Court made the following.

ORDER:

This Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973, is filed by the petitioners/A.1 to A.3, for grant of anticipatory bail in Crime No.438 of 2018 of Pahadisharief Police Station, Rachakonda, registered for the offences punishable under Sections 342, 384, 324 read with 34 of IPC.

2. Heard the learned counsel for the petitioners/A.1 to A.3, the learned Additional Public Prosecutor representing the respondent-State and perused the record.

3. The specific allegation against the petitioners/A.1 to A.3 is that the son of *de facto* complainant was called to the house of the petitioners on 06.12.2018 and he was beaten with stick and cable wire. On a report lodged by the father of the victim, this case was registered and is under investigation.

4. In the course of submissions it is brought to the notice of this Court that the petitioners/A.1 and A.2 are the students and the petitioner/A.3 is their father. Learned Additional Public Prosecutor representing the respondent/State would contend that simple injuries were caused to the victim. No specific reason was mentioned for calling the victim to the house of the petitioners/A.1 to A.3 and beating him. The allegations made against the petitioners/A.1 to A.3 are not grave to deny bail under Section 438 of Cr.P.C. Moreover, the petitioners/A.1 and A.2 are students. If they are remanded to judicial custody, it would darken their future. Under these circumstances, the petitioners/A.1 to A.3 can be granted anticipatory bail under Section 438 Cr.P.C. on some conditions.

5. Accordingly, the petitioners/A.1 to A.3 are directed to surrender before the Station House Officer, Pahadisharief Police Station, Rachakonda, within a period of 15 days from the date of this order. On such surrender, the said Station House Officer shall release the petitioners/A.1 to A.3, on each of the petitioner executing a personal bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties in a like sum each to his satisfaction. On such release, the petitioners/A.1 to A.3 shall report before the said Station House Officer, on every Sunday between 09:00 A.M. and 11:00 A.M., till filing of the

charge sheet. The petitioners/A.1 to A.3 shall also abide by the conditions stipulated in Section 438(2) Cr.P.C., and shall cooperate with the investigation officer in investigating the case.

6. The Criminal Petition is accordingly, allowed.

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

Sd/- B.SATYAVATHI
ASSISTANT REGISTRAR

//TRUE COPY//

For ASSISTANT REGISTRAR

To,

1. IV Additional Metropolitan Sessions Judge, Ranga Reddy District at L.B.Nagar
2. Station House Officer, PS Pahadishareef, Ranga Reddy District.
3. One CC to SRI. A NAJEEB KHAN Advocate [OPUC]
4. Two CCs to PUBLIC PROSECUTOR (TG) High Court of Telangana at Hyderabad [OUT]
5. One Spare Copy

GR

HIGH COURT

DRSAJ

DATED:30/01/2019

ORDER

CRLP.No.219 of 2019

ANTICIPATORY BAIL

