

**HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

TUESDAY, THE FOURTH DAY OF JUNE
TWO THOUSAND AND NINETEEN

:PRESENT:
THE HON'BLE JUSTICE G.SRI DEVI

CRIMINAL PETITION NO: 2753 OF 2019

Between:

1. Erra Mohan Reddy, S/o. Late Narsimha Reddy, (A-1)
2. Erra Narendra Reddy, S/o Mohan Reddy, (A-2)
3. Erra Anusha, W/o Narendra Reddy, (A-3)

Petitioners/Accused No. 1 to 3

AND

The State of Telangana, through Station House Officer, P.S., Bhupalapally, Jayashanker Bhupalapally District, Rep. by its Public Prosecutor, High Court of Judicature at Hyderabad.

Respondent/Complainant

Petition under Section 438 of Cr.P.C, praying that in the circumstances stated in the petition and the grounds filed herein, the High Court may be pleased to direct the S.H.O., P.S., Bhupalapally, Jayashanker Bhupalapally District or any other arresting officer to enlarge the Petitioners/Accused No.1 to 3 on bail in the event of their arrest in connection with the Cr. No. 166 of 2019 of the Police, P.S., Bhupalapally, Jayashanker Bhupalapally on such terms and conditions as this Honble Court may deem fit and proper in the interest of justice.

Counsel for the Petitioners : SRI S.SURENDER REDDY

Counsel for the Respondent : ADDL. PUBLIC PROSECUTOR

The Court made the following;



CRIMINAL PETITION No.2753 of 2019

ORDER :

This Criminal Petition under Section 438 of Cr.P.C. is filed by the petitioners/A.1 to A.3 in Crime No.166 of 2019 of Jayashankar Bhupalapally Police Station, Warangal District, seeking anticipatory bail.

Heard learned counsel for the petitioners/A.1 to A.3 and the learned Additional Public Prosecutor appearing for the respondent State. Perused the material on record.

It is contended by the learned counsel for the petitioners/A.1 to A.3 that the petitioners are no way concerned with the alleged offence and the defacto complainant has falsely implicated them in the said offence only to harass them. It is further contended that, even according to the complainant, A.2 gave a report to the police against the husband of the defacto complainant as he assaulted A.1 and the police called her husband and enquired into the matter. By taking advantage of the death of her husband, the defacto complainant filed a false complaint against the petitioners and implicated them in the present false case, even though they are nothing to do with the alleged offences. It is contended that there are no specific allegations made against the petitioners about the alleged abctment and in the absence of any such allegation, it cannot

be said that the petitioners are involved in the alleged crime. It is also contended that A.2 and A.3 are not residing in their native village, rather A.2 is a private employee and residing at Hyderabad and A.3 is his wife and both of them are residing, by virtue of employment of A.2, at Hyderabad, therefore, the question of abusing the deceased does not arise. It is also contended that most of the witnesses have already been examined, therefore, the question of tampering with the evidence of witnesses does not arise. It is also contended that most part of investigation has already been completed and only a formal charge sheet is to be filed in the above crime.

On the other hand, the learned Additional Public Prosecutor opposed the relief sought in the above petition.

In the facts and circumstances and by taking into consideration the nature of allegations levelled against the petitioners, I am inclined to grant anticipatory bail to the petitioners/A.1 to A.3 by imposing some conditions.

In the result, the criminal petition is allowed and the petitioners/A.1 to A.3 are directed to be released on bail in the event of their arrest in connection with Crime No.166 of 2019 of Jayashankar Bhupalapally Police Station, Warangal District, on their executing personal bonds for Rs.10,000/- (Rupees ten thousand only) each with two local sureties for a like sum each to the satisfaction of the Station House Officer, Jayashanker Bhupalapally Police Station, Warangal District, and subject to the condition that petitioners/A.1 to A.3 shall

cooperate with the investigation and that A.1 shall report before the above said Station House Officer, on every alternative day between 10-00 a.m. and 11-00 a.m. and that that A.2 shall also report before the above said Station House Officer, on every Saturday between 6-00 p.m. and 7-00 p.m. till completion of investigation and filing of charge sheet.

As a sequel, miscellaneous petitions pending, if any, shall stand closed.

SD/- P.SATYAKALA
ASSISTANT REGISTRAR

//TRUE COPY//

For ASSISTANT REGISTRAR

To,

1. The Special Sessions Judge for SC & ST (POA) Act Cases cum VII Addl. Sessions Judge, Warangal.
2. The Judicial First Class Magistrate, Parkal, Warangal District.
3. The Station House Officer, PS Jayashanker Bhupalapally, Warangal District.
4. Two CCs to Public Prosecutor, High Court of Judicature at Hyderabad (OUT)
5. one CC to Sri S.Surender Reddy, Advocate (OPUC)
6. One Spare Copy

HIGH COURT

GSD,J

DATE: 04-6-2019

ORDER

CRL.P. NO. 2753 OF 2019

PETITION ALLOWED

