

HON'BLE JUSTICE G. SRI DEVI

CRIMINAL PETITION No.4272 of 2019

ORDER:

This Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973 is filed by the petitioner, who is the sole Accused, for grant of anticipatory bail in the event of his arrest in Crime No.14 of 2019 of Nizamsagar Police Station, Kamareddy District, registered for the offence punishable under Section 304-II of IPC.

The case of the prosecution is that, on 22.03.2019, the defacto complainant has lodged a complaint stating that his father went to the agricultural fields of the petitioner situated at Narsingraopally village sivar to cut green grass and got electrocuted by connecting with G-wire around the crop said to have been arranged by the petitioner without taking any precautions to protect the crop from wild pigs. Basing on the said complaint, the police registered Crime No.14 of 2019 for the aforesaid offence against the petitioner/Accused.

Heard learned counsel for the petitioner/Accused and the learned Additional Public Prosecutor appearing for the respondent State. Perused the material on record.

Learned counsel for the petitioner contends that the petitioner is innocent of the alleged offence and he has not committed any offence as alleged and he has been falsely implicated in the above crime. It is also contended that the petitioner is an agriculturist by profession and eking out his

livelihood by doing cultivation and that the petitioner himself informed to the defacto complainant about the death of his father in his fields, however, the defacto complainant with a malafide intention to extract money from the petitioner foisted the above false case against the petitioner. It is further contended that the petitioner is ready to abide by any conditions imposed by this Court, including assisting the investigating agency for his release on anticipatory bail in the event of his arrest in the above crime.

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

As seen from the contents of FIR, specific allegations are levelled against the petitioner that he has erected a live electricity G-wire around his fields to protect his crop from wild animals without taking any precautionary measures, which resulted in the death of the deceased when he went to the fields of the petitioner to cut the green grass and thus, there is negligence on the part of the petitioner.

In view of the specific allegations levelled against the petitioner, I am not inclined to grant anticipatory bail to the petitioner. However, if the petitioner/Accused surrenders before the Court below concerned within ten days from today and moves an application for regular bail, after giving prior notice to the Public Prosecutor concerned, the said application may be considered in accordance with law.

With the above observations, this Criminal Petition is dismissed.

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

JUSTICE G. SRI DEVI

30.07.2019.
Msr



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Msr