

THE HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION No.6900 OF 2019

ORDER:

This Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973 (for short, 'Cr.P.C'), is filed by the petitioner/Accused No.1 for grant of anticipatory bail in the event of his arrest in connection with Crime No. 304 of 2019 of Afzalgunj Police Station, Hyderabad.

2. Heard learned counsel for the petitioner/Accused No.1 and the learned Additional Public Prosecutor representing the respondent/State. Perused the record.

3. The allegation levelled against the present petitioner is that when an argument is going on between the wife (accused No.3) of the petitioner/accused No.1 and the complainant regarding CCTV Camera attached to the wall of accused No.3's house, in the meantime, the petitioner/accused No.1 came and caught hold the complainant's hand and nighty and started to beat her on right eye, due to which she has fallen down on the ground. The petitioner/accused No.1 also touched the private parts of the complainant.

4. Learned counsel for the petitioner/accused No.1 would submit that the petitioner is an innocent person and falsely implicated in this case; that the petitioner is aged about 64 years and suffering from various ailments; that the wife of petitioner/accused No.1 had filed a written complaint in the office of GHMC against the complainant for illegal construction; that the petitioner

never committed the alleged commission of offence and hence, he prays to grant bail to the petitioner.

5. Learned Additional Public Prosecutor opposed the grant of the bail to the petitioner/accused No.1 contending that the petitioner is participated in the commission of offence.

6. As seen from the contents of the First Information Report, there are specific allegations against the petitioner that he caught hold the hand of the complainant and beat her, due to which she fell down and received injuries. The petitioner also touched the private parts of the complainant and thereby committed the alleged offences.

7. Thus, looking into the nature of allegations levelled against the petitioner and involvement of the petitioner in the commission of offence, I am not inclined to grant bail to the petitioner. Therefore, the prayer for anticipatory bail is rejected.

8. Accordingly, the Criminal Petition is dismissed. However, if the petitioner/accused No.1 surrenders before the Court concerned within fifteen (15) days from today and files an application for grant of bail, after giving prior notice to the Public Prosecutor, the same shall be considered, in accordance with law.

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

6th November, 2019
YVL

JUSTICE G SRI DEVI

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Date:06.11.2019

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