

HON'BLE JUSTICE G. SRI DEVI

CRIMINAL PETITION No.6967 of 2019

ORDER :

This Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973 is filed by the petitioners, who are A.2 and A.3, for grant of anticipatory bail in the event of their arrest in Crime No.19 of 2019 of SHO, Marpally Police Station, Vikarabad, Ranga Reddy District, registered for the offences punishable under Sections 436 of IPC r/w. Section 34 of IPC.

The case of the prosecution is that when the complainant was performing patrolling duty at the house of the accused in a murder case in Crime No.18 of 2019 for the offence punishable under Section 302 r/w. Section 34 of IPC, the petitioners came to the said house, poured petrol on the said house and set fire to the said house.

Heard learned counsel for the petitioners/A.2 and A.3 and the learned Additional Public Prosecutor appearing for the respondent State. Perused the material on record.

Learned counsel for the petitioners contends that the petitioners have not committed any offence as alleged and they came to the house of the deceased for attending the funeral and they are no way connected with the above crime. It is also contended that the petitioners are not present at the time of offence and they are innocent of the alleged offence. It

is also contended that material part of investigation is completed by recording the statements of the witnesses except filing of charge sheet. It is contended that A.2 is having old aged parents, who are dependent on him, and A.3 is doing Pani Poori business and eking out his livelihood and his parents are also dependent on him. It is further contended that the anticipatory bail application filed by the petitioners was dismissed vide order dt.24.11.2019 in Crl.M.P.No.303 of 2019 by the learned XII Additional District and Sessions Judge, Vikarabad, Ranga Reddy District. It is contended that the petitioners are ready to abide by any conditions imposed by this Court, including assisting the investigating agency for their release on anticipatory bail in the event of their arrest in the above crime.

On the other hand, the learned Additional Public Prosecutor vehemently opposed the relief sought in the above petition contending that the petitioners are not entitled for grant of anticipatory bail.

As seen from the contents of complaint, it is evident that there are specific allegations levelled against the petitioners that on 02.04.2019 at around 2.00 p.m., while the complainant was performing patrolling duty at Narsapur Pedda Thanda, the petitioners came there and set fire to the house of Amgoth Hariya and the total house was burnt and on enquiry, it came to light that the present petitioners along with other accused set fire to the house of Hariya as Hariya

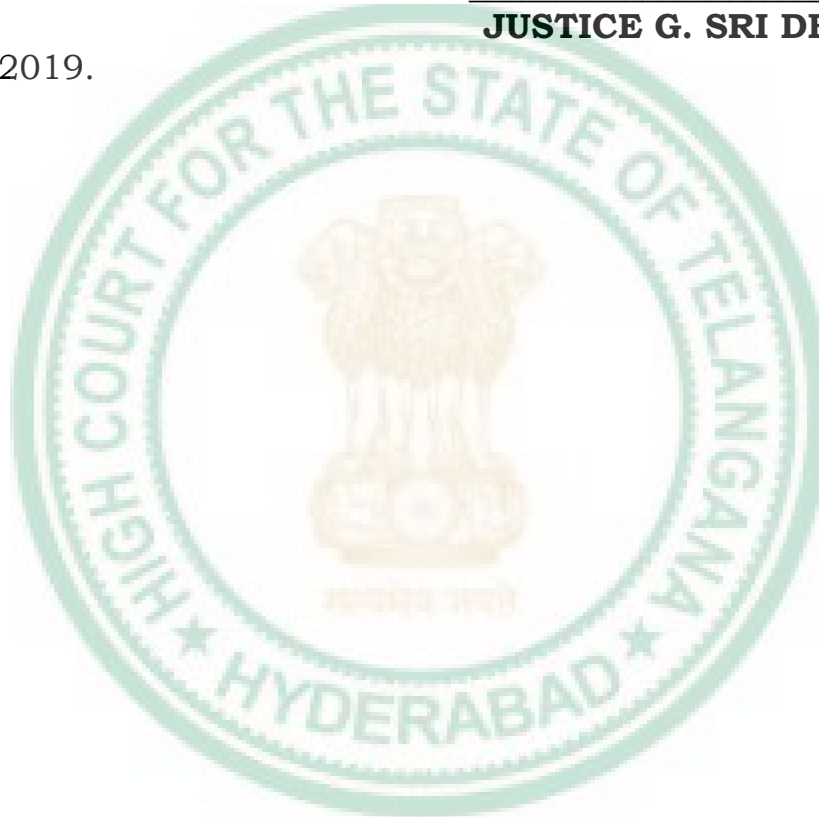
murdered the mother of A.1. Thus, by looking into the nature of allegations levelled against the petitioners and also their involvement in the above crime, I am not inclined to grant anticipatory bail to the petitioners/A.2 and A.3.

Accordingly, this Criminal Petition is dismissed.

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

08.11.2019.
Msr

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