

HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

TUESDAY, THE THIRD DAY OF DECEMBER
TWO THOUSAND AND NINETEEN

:PRESENT:

THE HONOURABLE SRI JUSTICE T.AMARNATH GOUD

CRL.P. NO: 7517 OF 2019

Between:

1. Jinkala Malleswari W/o.Veeranjaneyulu
2. Jinkala Rajeswari, W/o.Rambabu,

..... Petitioner/Accused 4 & 5

AND

The State of Telangana, rep.by its Public Prosecutor High Court at Hyderabad
through Station House Officer Huzurnagar Police Station, Huzumagar,
Nalgonda District.

.....Respondent/Complainant

Petition under Section 438 of Cr.P.C. praying that in the circumstances stated in the petition filed herein, the High Court may be pleased to grant anticipatory bail to the petitioners in the event of the petitioners arrest in connection with FIR.No.154 of 2019, dated 24/6/2019 on the file of Station House Officer, Huzurnagar Police Station, Huzurnagar, Nalgonda District.

The petition coming on for hearing, upon perusing the Petition and the grounds filed in support thereof and upon hearing the arguments of Sri V Brahmaiah Chowdary, Advocate for the Petitioners, and of Additional Public Prosecutor for the respondent, the Court made the following.

ORDER

This Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973 (for short, 'Cr.P.C'), is filed by the petitioners/Accused Nos.4 & 5 for grant of anticipatory bail in the event of their arrest in Crime No.154 of 2019 of Huzurnagar Police Station, Huzurnagar, Suryapet District, registered for the offence punishable under Section 307 read with 34 I.P.C.

2. The case of the prosecution is that on 24.06.2019 at about 16.00 hours, the *de facto* complainant had lodged a complaint before the police stating that on 23.06.2019 at about 3.00 p.m., while her husband was returning to their house after attending a marriage function and when he reached the house of one Swamy Goud, some of the villagers attacked on her husband with deadly weapons indiscriminately, caused serious injuries, that though some of the persons tried to stop them, they threatened them and escaped from the scene, that her husband was shifted to Huzurnagar Government Hospital in 108 ambulance and on the advice of the doctors, her husband was shifted to Khammam for better treatment and hence, requested to take necessary action against the accused. Basing on the said complaint, the police registered the above said crime for the aforesaid offences.

3. Heard learned counsel for the petitioners/A-4 & A-5 and the learned Additional Public Prosecutor representing the respondent/State. Perused the record.

4. Learned counsel for the petitioners/A-4 & A-5 contends that the petitioners are no way concerned with the alleged offences and they have been falsely implicated in the above said crime. It is also contended that keeping in view the civil disputes in mind, the complainant has created a false story and implicated the petitioners in the above said crime. It is also contended that the entire investigation has already been completed and all the material witnesses have been examined, except filing of charge sheet and this Court has already granted regular bail to A-1 & A-3 *vide* order, dated 06.08.2019, in Crl.P.No.4083 of 2019, and anticipatory bail to A-2 *vide* order, dated 11.07.2019, in Crl.P.No.3666 of 2019. It is further contended that the petitioners/A-4 & A-5 are ready to abide by any of the conditions imposed by this Court and would co-operate with the investigation, if they are released on anticipatory bail in the event of their arrest in connection with the aforesaid crime.

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

6. A perusal of the record reveals that there are civil disputes between the parties. Therefore, by taking into consideration the nature of allegations made against the petitioners, I am inclined to consider the petition

7. Accordingly, the petitioners/A-4 & A-5 are directed to surrender before the Station House Officer, Huzurnagar Police Station, Huzurnagar, Nalgonda District, within a period of 15 days from the date of this order. On such surrender, the Station House Officer, Huzurnagar Police Station, Huzurnagar, Nalgonda District, shall release the petitioners/A-4 & A-5 on bail on their executing a personal bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties for a like sum each to the satisfaction of the said Station House Officer. On such release, the petitioners/A-4 & A-5 shall attend before the said Station House Officer on every Sunday day between 10:00 AM and 6:00 PM till completion of investigation and shall abide by the conditions stipulated in Section 438 (2) Cr.P.C and co-operate with the Investigation Officer in concluding investigation.

8. Accordingly, the Criminal Petition is allowed.

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

//TRUE COPY//

SD/- B. SATYAVATHI
ASSISTANT REGISTRAR


SECTION OFFICER

To

1. The Judicial First Class Magistrate at Hyzurnagar, Nalgonda District
2. The Station House Officer, Huzurnagar Police Station, Huzurnagar, Nalgonda District
3. Two CCs to the Public Prosecutor, High Court at Hyderabad (OUT)
4. One CC to Sri V Brahmaiah Chowdary, Advocate (OPUC)
5. One spare copy.

HIGH COURT

TA,J

DATED: 03.12.2019

ORDER:

CRLP. NO:7517 of 2019

BAIL

