

HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION No.7474 of 2019

ORDER:

The petitioner-A6 filed the present application under Sections 437 and 439 of the Code of Criminal Procedure, seeking to grant bail to him in Cr.No.288 of 2019 on the file of Ibrahimpatnam Police Station, Ranga Reddy District, registered for the offences under Sections 120-B, 147, 148, 302, 201 and 427 read with Section 149 IPC.

2. The case of the prosecution is that due to previous disputes, the petitioner/A6 along with the other accused killed the deceased Jakkula Kishan with sickle and sticks and threw the dead body in nearby bushes, and later, they transported the dead body in an auto into a trench at Janaharsha Q-phase venture in Rayapole limits and burnt it along with the cell phone of the deceased with petrol and kerosene and that on the next day at 2300 hours, as they found the dead body was partially burnt, A1 to A3 and A6 put some sticks and diesel and set fire the body again and they also damaged the scooter of the deceased.

3. Learned counsel for the petitioner/A6 submits that the petitioner is innocent of the alleged offences and the facts mentioned in the remand report are all false and baseless. He further submits that there is no eyewitness and direct witness to the alleged incident and the prosecution case is solely based on the circumstantial evidence and that there is an unexplained delay in filing the FIR. He further submits that as per the remand report, entire investigation is completed, except filing of charge sheet. He

further submits that the petitioner is ready and willing to furnish suitable security and he shall abide by any condition imposed by this Court.

4. Learned Additional Public Prosecutor vehemently opposed to grant bail to the petitioner/A6 and contended that the petitioner has played active role in committing the murder of the deceased and on the next day also, the petitioner along with the other accused set fire the dead body with diesel.

5. Perusal of the remand report would reveal that the petitioner/A6 is son-in-law of A1. On 31.08.2019, the petitioner picked up a stick and went to the place of offence on his motorbike along with the other accused and all the accused killed the deceased with sickle and sticks, later, they transported the dead body, dumped in a deep trench and set it fire by pouring kerosene and petrol along with the cell phone of the deceased, and that on the next day i.e., 01.09.2019 at about 2300 hours, as the accused suspected that the body could not be burnt completely, A1 to A3 and A6 went to that place with 10 litre diesel in a can and set fire the dead body again with diesel and also the diesel can in that flames. On 02.09.2019, A1 to A3 and A6 damaged the scooter of the deceased by making it into pieces. Thus, the petitioner/A6 has played active role in commission of the crime and burning the dead body and damaging the scooter in order to destroy the evidence. Thus, in view of the serious allegations levelled against the petitioner and his involvement in commission of the crime and destroying the evidence, I am not inclined to grant bail to the petitioner and accordingly, his prayer for bail is rejected.

6. Hence, the Criminal Petition is dismissed.
7. As a sequel, miscellaneous applications, if any pending, shall stand dismissed.

11th December, 2019

G. SRI DEVI, J

sj

