

**HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**
WEDNESDAY, THE EIGHTEENTH DAY OF DECEMBER
TWO THOUSAND AND NINETEEN

**:PRESENT:
THE HON'BLE JUSTICE G.SRI DEVI**

CRIMINAL PETITION NO: 7803 OF 2019

Between:

1. Dudimetla Nagaraju, S/o. Sailu,
2. Bheeram Bharath Reddy, S/o. Bhadra Reddy,
3. S.K.Shareef @ Babulu, S/o. Mahaboob,
4. Bathula Raju, S/o. Kumaraswamy,
5. Angoth Balaji @ Balu, S/o. Narja,

Petitioners/Accused Nos.2 to 6

AND

The State of Telangana, represented by its Public Prosecutor, High Court for the State of Telangana at Hyderabad,

Respondent/Complainant

Petition under Sections 437 & 439 of Cr.P.C, praying that in the circumstances stated in the petition and the grounds filed therein, the High Court may be pleased to release the petitioners on bail in Crime No.164 of 2019 on the file of Narsampet Police Station, Warangal Rural District;

Counsel for the Petitioners : SRI A.PRABHAKAR RAO

Counsel for the Respondent : ADDL. PUBLIC PROSECUTOR

The Court made the following;

HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION No.7803 of 2019

ORDER:

The petitioners-A2 to A6 are filed the present application under Sections 437 and 439 of the Code of Criminal Procedure, seeking to grant bail to them in Cr.No.164 of 2019 on the file of Narsampet Police Station, Warangal Rural District, registered for the offences under Section 302 IPC and under Sections 3(1)(r)(s) and 3(2)(va) of SCs & STs (POA) Act.

2. The case of the prosecution is that the son of the de-facto complainant, who was working as SSB Constable at Srinagar, Jammu and Kashmir, came to his house on 18.10.2019, on leave, to see his mother, who fell sick, and that on 19.10.2019, his son went to attend the birthday function of his friend near Vallabh Nagar Degree College, where he found that his friend Bathula Rakesh and others were quarrelling, on seeing them, his son admonished them, in the meantime, A1 to A6 abused him in the name of his caste and A1 attacked his son with a knife and stabbed him on the left side of his chest while A2 to A6 were caught holding his son with hands. The accused also beat the friends of the son of the de-facto complainant. While under going treatment his son died in the hospital on 20.10.2019.

3. Learned counsel for the petitioners/A2 to A6 submits the petitioners have not committed any offence as alleged by the prosecution and that there was no intention on the part of A1 to cause death of the deceased. He further submits that the petitioners have neither beat the deceased with hands nor abused him in the

name of caste and that they have no acquaintance with the deceased, who was working in Jammu and Kashmir. He further submits that the petitioners have no enmity with the deceased and they have been falsely implicated in the crime merely on the ground that they are friends of A1. He further submits that the entire investigation is completed by examining all the material witnesses. He further submits that the petitioners are having fixed address and properties and they shall cooperate with the police till conclusion of the trial and that they shall abide by any condition imposed by this Court.

4. Learned Additional Public Prosecutor vehemently opposed to grant bail to the petitioners and contended that the petitioners have played active role in commission of the crime as they caught hold the deceased while A1 stabbing him with a knife and therefore, they are not entitled for bail. .

5. A perusal of the remand report and the post-mortem report would show that the only allegation against the petitioners is that they have assaulted the deceased with hands and that one stab injury is found on the dead body of the deceased. Thus, in view of the nature of allegations levelled against the petitioners/A2 to A6 and their role in commission of the crime, without adverting to the merits of the matter, I am inclined to grant bail to them on certain terms and conditions.

6. The Criminal Petition is allowed and the petitioners/A-2 to A6 shall be released on bail on the following terms and conditions:

- (i) That the petitioners/A-2 to A6 shall execute a personal bond for a sum of Rs.25,000/- (Rupees twenty five

thousand only) each with two sureties for a like sum each to the satisfaction of the Judicial First Class Magistrate, Narsampet, Warangal Rural District.

- (ii) On such release, the petitioners/A2 to A6 shall appear before the Investigating Officer on every alternative day between 10.00 AM and 5.00 PM., till completion of investigation or filing of charge sheet, whichever is earlier.
- (iii) Till filing of charge sheet, no application seeking relaxation of the aforesaid condition of petitioners shall be entertained.
- (iv) After filing of the charge sheet, the petitioners/A-2 to A6 shall appear before the Court concerned personally on each date of hearing till conclusion of trial.
- (v) that the petitioners/A-2 to A6 shall not indulge in any similar type of activities, in future;
- (vi) that the petitioners/A-2 to A6 shall not tamper with the prosecution witnesses;
- (vii) that the petitioners/A-2 to A6 shall co-operate with the investigating agency.
- (viii) that the petitioners/A-2 to A6 shall not misuse the liberty granted to them.

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

Sd/- N.PURUSHOTHAM REDDY

//TRUE COPY//

ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Special Session Judge for SC/ST (POA) Act-cum-VII Additional District & Sessions Judge, Warangal.
2. The Judicial First Class Magistrate, Narsampet, Warangal Rural District.
3. The Station House Officer, Narsampet Police Station, Warangal Rural District.
4. The Superintendent, Central Prison, Warangal.
5. Two CCs to Public Prosecutor, High Court of Telangana at Hyderabad (OUT)
6. One CC to Sri A. Prabhakar Rao, Advocate (OPUC)
7. one Spare Copy

HIGH COURT

GSD.J

DATE: 18-12-2019

ORDER

CRL.P. NO. 7803 OF 2019

BAIL

