

IN THE HIGH COURT FOR THE STATE OF TELANGANA  
AT HYDERABAD

TUESDAY, THE TWENTY FOURTH DAY OF DECEMBER TWO THOUSAND  
AND NINETEEN

:PRESENT:

THE HONOURABLE JUSTICE G SRI DEVI  
CRIMINAL PETITION NO: 7822 OF 2019

**Between:**

Mohammad Ahmad Jani, S/o. Miya Jani

**Petitioner/Accused**

**AND**

The State of Telangana, Through P.S. Sangareddy (Rural), Rep by its Public Prosecutor,  
High Court at Hyderabad.

**Respondent/Complainant**

Petition under Section 437 & 439 of Cr.P.C, praying that in the circumstances  
stated in the affidavit filed in support of the Criminal Petition, the High Court may be  
pleased to enlarge the Petitioner/Accused on bail in connection with the Crime No. 271  
of 2019, Dt 24/09/2019 on the file of the Police Station Sangareddy Rural, Sangareddy  
District, in the interest of Justice

The petition/Appeal coming on for hearing, upon perusing the Petition and the  
affidavit filed in support thereof and upon hearing the arguments of SRI PALLE  
SRIHARINATH Advocate for the Petitioner, THE PUBLIC PROSECUTOR for the  
Respondent and the Court made the following.

**ORDER**

**HONOURABLE JUSTICE G. SRI DEVI**

CRIMINAL PETITION NO.7822 OF 2019

**ORDER:**

The petitioner/accused filed the present Criminal Petition under Sections 437 and 439 of the Code of Criminal Procedure seeking to grant bail to him in Crime No.271 of 2019 of P.S. Sangareddy Rural, which was registered for the offence punishable under Section 307 of the Indian Penal Code.

The allegation against the petitioner/accused is that on 24.09.2019 at about 8.30 hours, the complainant, Mohd. Mathin, lodged a report with police Sangareddy Rural, alleging that as his brother-in-law by name Mahaboob Jani and his wife Nazceera Begum were died, he took their children by name, Fathima, Thabusam and Irfan to Patancheru and the father of his brother-in-law by name Miyajani called him by phone and forced him to send his grand children to their village, that on 23.09.2019, when his elder son by name Md. Younus went to Tallapally Village to discuss the same, the petitioner/accused went there and abused his elder son in filthy language and stabbed him with a knife and thereby committed an offence punishable under Section 307 IPC.

Learned Additional Public Prosecutor opposed to grant bail to the petitioner/accused.

Learned counsel for the petitioner/accused submits that the petitioner/accused is innocent of the offence and no way concerned with the alleged offence. Even if the allegations in the complaint are looked into, no specific overt acts are attributed

against the petitioner except giving a vague complaint that the petitioner/accused is trying to kill his son. It is further submitted that there are family disputes between the families of petitioner/accused and the complainant regarding children of petitioner's brother. It is further submitted that the petitioner/accused is suffering from ill-health and taken treatment at Medicure Hospital, Shankarpally and admitted as inpatient on 10.10.2019 and discharged on 12.10.2019 and heeds regular treatment. It is further submitted that on false allegation, the police registered a case under Section 307 IPC and the petitioner/accused voluntarily surrendered himself before the Court below on 24.10.2019 and since then, he is in judicial custody for more than 40 days. It is further submitted that the entire investigation is completed, all the material witnesses are examined and except filing of charge sheet, nothing remains and as such the question of absconding or evading the trial by the petitioner/accused does not arise. It is further submitted that the petitioner/accused is a law abiding citizen and prepared to assist the police in investigation and that he is the permanent resident of Tadlapally Village, Sangareddy District, having movable and immovable properties and he is prepared to furnish sufficient sureties in the event of his enlargement on bail. Hence, it is prayed to consider the accused/petitioner's application for bail.

Looking into the facts and circumstances of the case and taking into consideration the gravity of the offence alleged and even if the injuries are shown to be grievous in nature, the complainant is said to have discharged from the hospital immediately after two

days of the incident, I am inclined to grant bail to the petitioner/accused.

The Criminal Petition is allowed and the petitioner/accused shall be released on bail on the following terms and conditions:

- (i) That the petitioner/accused shall execute a personal bond for Rs.15,000/- (Rupees fifteen thousand only) with two sureties for a like sum each to the satisfaction of the Additional Judicial First Class Magistrate at Sangareddy, Sangareddy District.
- (ii) that the petitioner/accused shall not tamper with the prosecution witnesses;
- (iii) that the petitioner/accused shall co-operate with the investigating agency.
- (iv) that the petitioner/accused shall not misuse the liberty granted to him.
- (v) That the petitioner/accused shall appear personally before the Court below on each and every adjournment till the conclusion of trial.

Miscellaneous applications pending, if any, shall stand closed.

//TRUE COPY//

Sd/- M. MANJULA  
ASSISTANT REGISTRAR

For ASSISTANT REGISTRAR

To,

1. The Special Judge for trial of Offences under the Scheduled Castes and Scheduled Tribes (POA) Act, 1969 cum V Additional Session Judge Medak at Sanga Reddy
2. The Superintendent, District Prison at Sangareddy, Sangareddy District
3. One CC to SRI, PALLE SRIHARINATH Advocate [OPUC]
4. Two CC's to Public Prosecutor, High Court for the State of Telangana at Hyderabad (OUT)
5. One spare copy

Avs

HIGH COURT

GSDJ

DATED:24/12/2019

ORDER

CRLP.No.7822 of 2019

BAIL

