

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

FRIDAY, THE FIFTH DAY OF JUNE
TWO THOUSAND AND TWENTY

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

CRIMINAL PETITION NO: 2268 OF 2020

Between:

Nallamasu Krishna, S/o. Mallaiah,

Petitioner/Accused No. 14

AND

The State of Telangana, Rep. by its Public Prosecutor, High Court at Hyderabad, through PS
Venkatapuram

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 enlarge the Petitioner /Accused No.14 on bail in FIR. No. 100 of 2019 on the file of Venkatapuram Police Station;

The petition coming on for hearing, upon perusing the Petition and the grounds filed therein and upon hearing the arguments of Sri Nandigam Krishna Rao, Advocate for the Petitioner, and of the Public Prosecutor, for the Respondent, the Court made the following.

ORDER:

"This Criminal Petition, under Sections 437 and 439 of the Code of Criminal Procedure, 1973, is filed by the petitioner/A-14 seeking to grant bail to him in connection with Crime No.100 of 2019 on the file of Venkatapuram Police Station, Mulugu District, registered for the offences punishable under Section 8(ii) of Telangana State Public Security Act, 2012 and under Sections 10,13,17,18,40 of Unlawful Activities (Prevention) Act, 1967 and under Section 120-B IPC.

2. Heard the learned counsel appearing for the petitioner/A-14, learned Public Prosecutor appearing for the respondent-State and perused the record.

3. Learned counsel for the petitioner/A14 would submit that the petitioner has been falsely implicated in the crime based on the confession made by A1. He further submits that there are no specific accusation/overt act against the present petitioner and so also, there is no *prima facie* case against him. He further submits that the petitioner/A14 was remanded to judicial custody on execution of PT warrant on 18.02.2020. He further submits that A1 was granted bail by this Court vide order dated 05.02.2020 in CrI.P.No.629 of 2020 and that since the case of petitioner/A14 also stands on the same footing, he may be released on bail. He further submits that the petitioner is ready to abide by any condition imposed by this Court.

4. Learned Public Prosecutor though opposed the bail application, but conceded the fact that A1 was already enlarged on bail and the petitioner/A14 is in judicial custody since 18.02.2020.

5. Having regard to the facts and circumstances of the case and in view of the present scenario arising out of pandemic Covid-19 prevailing in the country and also the fact that A1 has already been enlarged on bail, without adverting to the merits of the case, I am inclined to grant bail to the petitioner/A-14.

6. The Criminal Petition is accordingly allowed and the petitioner/A-14 is directed to be released on bail, subject to the following terms and conditions:

- (i) The petitioner/A-14 shall be released on bail on his executing a personal bond to the tune of Rs.15,000/- (Rupees fifteen thousand only) with two sureties for a like sum each to the satisfaction of the District Judge, Khammam.
- (ii) The petitioner/A14 shall not interfere with the investigation, intimidate or induce the material witnesses and he shall cooperate with the investigating agency.
- (iii) The petitioner/A-14 shall not misuse the liberty granted to him.
- (iv) The petitioner/A-14 shall personally appear before the Court concerned on each date of hearing.
- (v) The petitioner/A-14 shall not indulge in similar type of activities in future.

Miscellaneous applications, if any pending in this criminal petition, shall stand closed."

Sd/- JUSTICE G.SRI DEVI

//TRUE COPY//
P. Venkatesh
REGISTRAR (JUDICIAL-II)

SECTION OFFICER

To,

1. The District Judge, Khammam.
2. The 1 Additional Judicial First Class Magistrate, Special Court for Extremist Cases, at Khammam
3. The Superintendent, Central Prison, Warangal
4. The Station House Officer, Venkatapuram Police Station, Khammam District.
5. Two CCs to Public Prosecutor, High Court of Telangana, at Hyderabad (OUT)
6. one CC to Sri Nandigam Krishna Rao, Advocate (OPUC)
7. one Spare Copy

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HIGH COURT

GSD,J

DATE: 5-6-2020

ORDER

CRL.P. NO. 2268 OF 2020

BAIL

