

HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION No.8600 of 2019

ORDER:

The petitioner-A1 filed the present application under Sections 437 and 439 of the Code of Criminal Procedure, seeking to grant bail to him in S.C.No.326 of 2019 in connection with Cr.No.93 of 2019 on the file of Jubilee Hills Police Station, Hyderabad, registered for the offences under Sections 419, 342, 346, 348, 384, 302, 201, 202 read with Section 34 IPC.

2. It is alleged in the complaint that the son-in-law of the de-facto complainant, by name, Chigurpati Jayaram, who was residing at Florida (America), came to India about one month back from the date of incident, for business purpose, and that on 01.02.2019, the de-facto complainant received a phone call that his son-in-law died under suspicious circumstances in his car bearing No.AP 10 16EG 0620 at the outskirts of Ithavaram Village of Nandigama Mandal.

3. Learned counsel for the petitioner/A1 submits that the petitioner has been falsely implicated in the case and he has nothing to do with the alleged offence. He further submits that during the course of investigation, the name of the petitioner was shown as A1 and arrested him on 05.02.2019 and the petitioner was in judicial custody from 06.02.2019. He further submits that the investigating agency initially came to conclusion that the deceased indebted money to the petitioner and only two accused were involved in the crime and after further investigation, the investigating agency came to conclusion that the petitioner tried to extort money from the deceased and thus, there are two contradictory conclusions made

by the police. He further submits that material part of the investigation is completed and charge sheet is filed before the committal Court on 29.04.2019 and the case was numbered as P.R.C.No.132 of 2019, which was also committed to the Court of Session. He further submits that the petitioner is a businessman and hails from a respectable family and he shall abide by any condition imposed by this Court.

4. Learned Additional Public Prosecutor vehemently opposed to grant bail to the petitioner/A1.

5. As seen from the remand report, there are specific allegations against the petitioner/A1 that A1 asked A2 to assist him in killing the deceased by assuring him that he would pay huge remuneration, and that since A2 was in need of money to clear off his debts, he agreed to assist A1, then, A1 brought the deceased to his home theatre room and insisted him to clear his dues, and during the course of arguments, A1 beat the deceased by punching on his nose and face, due to which, the deceased fell down in sofa with bleeding injury on his nose, and when A2 was throttling the neck of the deceased, the deceased pleaded A1 not to kill him and requested him to give 30 seconds time, so that he can provide 10 crores, but A1 did not listen his words and insisted A2 not to release the deceased, then the deceased bite the right hand palm of A2, due to which, A2 did not attempt further, then, A1 took a pillow and brutally pressed on the face of the deceased with pillow while A2 caught hold of the hands of the deceased and smothered him till his death. Thus, in view of the serious nature of allegations levelled against the petitioner/A1 and his involvement in the crime, I am not

inclined to grant bail to the petitioner and his prayer for bail is refused.

6. Hence, the Criminal Petition is dismissed.

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

9th January, 2020
sj

G. SRI DEVI, J

