

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

**TUESDAY, THE TWENTY THIRD DAY OF FEBRUARY
TWO THOUSAND AND TWENTY ONE**

PRESENT

THE HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION NO: 1116 OF 2021

Between:

Shaik Anwar, S/o. Shafi, Age 23 years, Occ. Supervisor, R/o. Sarapaka Village,
Burgampahad Mandal, Bhadradi Kothagudem District.

...Petitioner/A1

AND

The State of Telangana, Station House Officer, Burgampahad Police Station,
Bhadradi Kothagudem District, represented by its Public Prosecutor High Court
of Telangana, at Hyderabad.

...Respondent

Petition under Section 437 and 438 of Cr.P.C praying that in the
circumstances stated in the Memorandum of Grounds of Criminal Petition, the High
Court may be pleased to release the petitioner herein/A.1 on bail in the event of his
arrest in Crime No.153 of 2020 on the file of the Station House Officer,
Burgampahad Police Station, Bhadradi Kothagudem District.

This Petition coming on for hearing, upon perusing the Memorandum of
Grounds of Criminal Petition and upon hearing the arguments of Sri Gopinath
Lakkineni, Advocate for the Petitioner and the Additional Public Prosecutor on
behalf of the Respondent.

The Court made the following: ORDER

HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION NO.1116 OF 2021

ORDER:

This Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973 (Cr.P.C.), is filed by the petitioner/A-1, for grant of anticipatory bail in Crime No.153 of 2020 of P.S. Burgampahad, Bhadravadi Kothagudem District, registered for the offences punishable under Sections 188, 269, 326 and 506 read with Section 34 of the Indian Penal Code and Section 3 of the Epidemic Act and Section 51 of the NDM Act, 2005.

Heard the learned counsel for the petitioner/A-1, the learned Additional Public Prosecutor representing the respondent-State and perused the record.

In the FIR, it is *inter alia* stated that on 19.05.2020 at 5.00 pm, the *de facto* complainant lodged a complaint stating that on 18.05.2020 at 9.30 pm, while he was on his way to house, the petitioner/A-1 along with some other accused came in opposite direction to his bike, stopped his bike and caught hold of him and assaulted by abusing him in filthy language. Hence, the FIR.

Learned counsel for the petitioner/A-1 would submit that the petitioner is innocent and he is no way concerned with the alleged offence. The petitioner/A-1 is a law-abiding citizen and is prepared to abide by any condition which this Court may deem fit to impose in case of granting anticipatory bail. Hence, he prayed to grant anticipatory bail to the petitioner/A-1.

Learned Additional Public Prosecutor representing the respondent-State opposed to grant anticipatory bail to the petitioner/A-1.

As seen from the contents of the FIR, there are specific allegations against the petitioner/A-1 that he has assaulted the *de facto* complainant indiscriminately and also abused him in filthy language.

Having regard to the facts and circumstances of the case, nature and gravity of the offence, this Court is not inclined to grant anticipatory bail to the petitioner/A-1.

The Criminal Petition is, accordingly, dismissed. However, if the petitioner/A-1 surrenders before the competent Court within a period of fifteen days from today and applies for regular bail, the same shall be considered by the said Court, in accordance with law.

Miscellaneous applications, if any, pending shall stand closed.

//TRUE COPY//

SD/- K.SAILESHI
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Judicial First Class Magistrate, at Bhadrachalam, Bhadradi Kothagudem District.
2. The Station House Officer, Burgampahad Police Station, Bhadradi Kothagudem District.
3. Two CCs to the Public Prosecutor, High Court for the State of Telangana, at Hyderabad [OUT]
4. One CC to Sri Gopinath Lakkineni, Advocate [OPUC]
5. Two CD Copies

MMK



HIGH COURT

DATED:23/02/2021



ORDER

CRLP.No.1116 of 2021

DISMISSING THE CRIMINAL PETITION

ASMA (7)
4/3/2021