

HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD
THURSDAY, THE TWENTY FIFTH DAY OF FEBRUARY TWO THOUSAND AND TWENTY ONE

:PRESENT:

THE HONOURABLE JUSTICE G SRI DEVI
CRIMINAL PETITION NO: 1156 OF 2021

Between:

Jinna Narsimha, S/o. Dasharatha

...Petitioner/Accused No.2

AND

The State of Telangana, Through SHO P.S Bhongir Town, Yadadri Bhongir District,
Represented by Public Prosecutor, High Court at Hyderabad.

...Respondent/Complainant

Petition under Section 438 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 grant Anticipatory bail to the Petitioner/Accused No.2 by directing the SHO P.S. Bhongir Town or any arresting officer to enlarge him on bail in the event of his arrest in connection with Crime No.24 of 2021 of P.S Bhongir Town.

The petition coming on for hearing, upon perusing the Petition and the grounds filed in support thereof and upon hearing the arguments of M/s K. VENUMADHAV Advocate for the Petitioner and of PUBLIC PROSECUTOR for the Respondent, the Court made the following.

ORDER:

THE HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION No.1156 OF 2021

ORDER:

This Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973 (for short, 'Cr.P.C'), is filed by the petitioner/accused No.2 for grant of anticipatory bail in the event of his arrest in connection with Crime No.24 of 2021 of Bhongir Town Police Station, Rachakonda Commissionerate, registered for the offence punishable under Section 79 of the Juvenile Justice (Care and Protection of Children) Act, 2015 and Section 14 of the Child Labour Act.

2. Heard learned counsel for the petitioner/accused No.2 and the learned Additional Public Prosecutor representing the respondent/State. Perused the record.

3. Learned counsel for the petitioner/accused No.2 would submit that even the entire allegations in the complaint are taken into consideration, no offence is made out against the petitioner; that the petitioner is not extracting the work from the children; that the main accused, who is getting the work done from the children was found red handed and police arrested him; that the petitioner is not at all doing any work or getting any work from the children; that the petitioner is a mason and undertakes the works of construction and in the complaint, there is no such allegation that there is any construction work going on and the petitioner is getting the work with the children, as such the petitioner is entitled for anticipatory bail.

4. Learned Additional Public Prosecutor opposed the bail application.

5. Thus, looking into nature of allegations levelled against petitioner/accused No.2 and considering the facts and circumstances of the case, I am inclined to grant anticipatory bail to the petitioner/A.2 under Section 438 Cr.P.C on some conditions.

6. Accordingly, the petitioner/accused No.2 is directed to surrender before the Station House Officer, Bhongir Town Police Rachakonda Commissionerate, within a period of 15 days from today. On such surrender, the Station House Officer, Bhongir Town Police Station, Rachakonda Commissionerate, shall release the petitioner/accused No.2 on bail on his executing a personal bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties for a like sum each to the satisfaction of the said Station House Officer. Further, the petitioner/accused No.2 shall abide by the conditions stipulated in Section 438 (2) Cr.P.C and co-operate with the Investigation Officer in concluding investigation.

7. With the above direction, the Criminal Petition is allowed. Miscellaneous petitions, if any, pending in this petition shall stand closed.

//TRUE COPY//

SD/- K. VENKAIAH
ASSISTANT REGISTRAR

[Signature]
SECTION OFFICER

To,

1. The Additional Judicial First Class Magistrate at Bhongir.
2. The V Additional District and Sessions Judge at Bhongir.
3. The S.H.O., P.S Bhongir Town.
4. One CC to M/s. K. VENUMADHAV, Advocate [OPUC].
5. Two CCs to PUBLIC PROSECUTOR, High Court for the State of Telangana at Hyderabad [OUT].
6. One spare copy
ZEE

HIGH COURT

GSDJ

DATED:25/02/2021

ORDER

CRLP.No.1156 of 2021

BAIL

25 FEB 2021