

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD
TUESDAY, THE NINTH DAY OF MARCH TWO THOUSAND AND TWENTY ONE

:PRESENT:
THE HONOURABLE JUSTICE G SRI DEVI

CRIMINAL PETITION NO: 1649 OF 2021

Between:

Kondalu Srinath Rao, S/o Nandu Kumar.

Petitioner/Accused No.1

AND

The State of Telangana, Rep. by Public Prosecutor High Court of Telangana.,
Hyderabad.

Respondent/Complainant

Petition under Section 438 of Cr.P.C, praying that in the circumstances stated in the Criminal Petition, the High Court may be pleased to enlarge the petitioner / A1, on anticipatory bail in event of arrest in connection with Crime No. 776/2020, on the file of P.S. Jeedimetla.

The petition coming on for hearing, upon perusing the Petition and the grounds filed in support thereof and upon hearing the arguments of Sri G VASANTHA RAYUDU, Advocate for the Petitioner, Asst. PUBLIC PROSECUTOR for the Respondent, the Court made the following.

ORDER:

THE HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION No.1649 of 2021

ORDER:

This Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973, is filed by the petitioner/A1 seeking to grant anticipatory bail in the event of his arrest in Cr.No.776 of 2020 on the file of Jeedimetla Police Station, Cyborabad District, registered for the offences punishable under Sections 324, 307 read with Section 34 IPC.

2. Heard learned counsel for the petitioner/A1, learned Assistant Public Prosecutor appearing for the respondent-State and perused the record.

3. Learned counsel for the petitioner/A1 would submit that the petitioner is innocent of the alleged offences and in fact, the de-facto complainant and other accused had attacked on him with knives and stones while himself and his son were firing crackers on Diwali festival on 15.11.2020, and in the said attack, the petitioner as well as the de-facto complainant has sustained injuries and both of them have registered cases against each other and as such, there is a case and counter case against both the parties. He further submits that the entire investigation is completed, except filing of the charge sheet. He also submits that the petitioner is a law abiding citizen and he is ready to abide by any condition that may be imposed by this Court in the event of his enlargement on anticipatory bail.

4. Learned Assistant Public Prosecutor vehemently opposed to grant anticipatory bail to the petitioner.

5. As seen from the contents of the FIRs filed by the de-facto complainant as well as the petitioner/A1, it seems that due to some

disputes regarding firing of crackers on Diwali festival, the de-facto complainant had attacked the petitioner with a mob of about 20 persons, due to which, the petitioner as well as the de-facto complainant has sustained injuries and both of them have registered FIRs against each other. Since there is a case and counter case against both the parties and admittedly, there was a tussle between two groups, it cannot be said that who has inflicted injuries on the de-facto complainant or on the petitioner.

6. Thus, looking into the nature of allegations against the petitioner and since the case and counter cases are pending against both the parties, without adverting to the merits of the matter, I am inclined to grant anticipatory bail to the petitioner/A1.

7. The Criminal Petition is accordingly allowed and the petitioner/A1 is granted anticipatory bail subject to the following terms and conditions:

(i) The petitioner/A1 is directed to surrender before the Station House Officer, Jeedimetla Police Station, Cyberabad District, within a period of 15 days from the date of this order and on such surrender, the said Station House Officer shall release the petitioner/A1 on bail on his executing a personal bond to the tune of Rs.25,000/- (Rupees twenty five thousand only) with two sureties for the like sum each to his satisfaction.

(ii) On such release, the petitioner/A1 shall appear before the Investigating Officer on every Saturday between 10.00 AM to 2.00 PM till completion of investigation or filing of the charge sheet whichever is earlier.

(iii) The petitioner/A1 shall abide by the other conditions stipulated in Section 438(2) Cr.P.C.

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

//TRUE COPY//

SD/- I.NAGA LAKSHMI
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The XXI Metropolitan Magistrate at Medchal, Cyberabad, Medchal District.
2. The Station House Officer, P.S. Jeedimetla.
3. One CC to SRI G VASANTHA RAYUDU Advocate [OPUC]
4. Two CCs to PUBLIC PROSECUTOR, High Court at Hyderabad. (OUT)
5. One spare copy

mvj

HIGH COURT

GSD,J

DATED:09/03/2021

ORDER

CRLP.No.1649 of 2021

BAIL

