

IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

TUESDAY, THE NINTH DAY OF MARCH
TWO THOUSAND AND TWENTY ONE ✓

:PRESENT:

THE HON'BLE JUSTICE G.SRI DEVI ✓

CRIMINAL PETITION NO: 1651 OF 2021 ✓

Between:

✓ P.Gopal Reddy, S/o. Malla Reddy,

Petitioner/Accused No.1

AND

✓ The State of Telangana, through Public Prosecutor, High Court for the State of Telangana, at
Hyderabad.

Respondent/Respondent

Petition under Section 438 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.1 on anticipatory bail in the event of arrest in connection with Crime No.328 of 2020, dated 06.08.2020 under Section 452, 326, 506 R/w 34 of IPC on the file of P.S. Shankerpalli, Cyberabad, Ranga Reddy District;

The petition coming on for hearing, upon perusing the Petition and the grounds filed therein, and upon hearing the arguments of Sri V.Shiva Kumar, Advocate for the Petitioner, and of the Asst. Public Prosecutor, for the Respondent, the Court made the following.

HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION No.1651 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.328 of 2020 of P.S. Shankerpalli, Cyberabad, registered for the offence punishable under Section 324 read with Section 34 of the Indian Penal Code.

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

3. In the FIR, it is *inter alia* stated that the *de facto* complainant gave a complaint on 06.08.2020 stating that on the same day at 08.00 hours while he was at toddy shop, the petitioner/A-1 along with other accused went there and abused him in filthy language and A1 beat him with iron rod causing bleeding injury to his left hand and others beat him with sticks and hands. Hence, the complaint.

4. Learned counsel for the petitioner/A-1 would submit that the petitioner is an innocent person and never committed any offence as alleged by the respondent-police. It is further submitted that as A2 and A3 have already been enlarged on anticipatory bail vide order dated 05.02.2021 in CrI.P.No.468 of 2021 and A4 also released on anticipatory bail vide order dated 19.02.2021 in CrI.P.No.986 of 2021, the case of petitioner/A1 stands on the same footing. He further submits that the petitioner is a law-abiding citizen and has nothing to do with the alleged offence. Further, he is ready to give sufficient sureties to the satisfaction of this Court to secure his

presence on each and every date of hearing to face the trial and also ready to abide by the terms and conditions if any that may be imposed by this Court for his release. Hence, he prayed to grant anticipatory bail to the petitioner/A-1.

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

6. Initially, Section 324 read with Section 34 IPC has been registered and subsequently, it has been altered to Section 326 read with Section 34 IPC, but the injuries are not grievous in nature and no material objects whatsoever have been recovered by the police till today.

7. Having regard to the facts and circumstances of the case and since the other accused have already been enlarged on anticipatory bail by this Court and as the injuries are not grievous in nature, this Court is inclined to grant anticipatory bail to the petitioner/A-1 on some conditions.

8. Accordingly, the Criminal Petition is allowed and the petitioner/A-1 is directed to surrender before the Station House Officer, P.S. Shankerpalli, Cyberabad, within a period of 15 days from the date of this order. On such surrender, the said Station House Officer shall release the petitioner/A-1 on bail, on his executing personal bond for a sum of Rs.15,000/- (Rupees fifteen thousand only) with two sureties for a like sum each to his satisfaction. On such release, the petitioner/A-1 shall appear before the investigating authorities on first and third Saturdays till

completion of investigation and filing of charge sheet and shall abide by the conditions stipulated in Section 438(2) Cr.P.C and shall co-operate with the investigating officer in investigating the case.

9. Miscellaneous applications, if any, pending shall stand closed.

Sd/- T.TIRUMALA DEVI
ASSISTANT REGISTRAR

//TRUE COPY//

KSK
SECTION OFFICER

To,

1. The XII Addl. District and Sessions Judge, Vikarabad, Ranga Reddy District.
2. The Judicial First Class Magistrate, Chevella, Ranga Reddy District.
3. The Station House Officer, PS Shankerpalli, Cyberabad.
4. Two CCs to Public Prosecutor, High Court of Telangana, at Hyderabad (OUT)
5. one CC to Sri V.Shiva Kumar, Advocate (OPUC)
6. one Spare Copy

HIGH COURT

GSD,J

DATE: 09-03-2021

ORDER

CRL.P. NO. 1651 OF 2021



PETITION ALLOWED