

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

:PRESENT:

THE HONOURABLE JUSTICE G SRI DEVI
CRIMINAL PETITION NO: 2509 OF 2021

Between:

Shivaji @ Kolikineni Shivaji, S/o. Seetharamaiah

...Petitioner/Accused

AND

The State of Telangana, Rep. by its Public Prosecutor, High Court for the State of
Telangana, High Court Buildings, Hyderabad.

...Respondent/Complainant

Petition under Section 438 R/w 482 of Cr.P.C, praying that in the circumstances stated in the grounds filed in support of the Criminal Petition, the High Court may be pleased to direct PS, Bachupally to enlarge the Petitioner on bail, in the event of his arrest in connection with Cr.No.19/21 registered by PS, Bachupally.

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 VIJAY B PAROPAKARI 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.2509 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.19 of 2021 on the file of Bachupally Police Station, Cyberabad District, registered for the offences punishable under Section 324 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 submits that the petitioner is innocent of the alleged offences and that a false case has been foisted against him in order to eliminate the petitioner from the business. He further submits that no medical certificate was produced before the Court. He also submits that most part of the investigation is completed, except filing of the charge sheet. He also submits that the petitioner is a law abiding citizen and he has not involved in any criminal cases earlier to this crime 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 opposed the anticipatory bail application of petitioner.

5. As seen from the contents of the remand report, the alleged occurrence has taken place on 08.01.2021 at 10.30 PM., wherein it was stated that the petitioner/A1 and other accused have assaulted the de-facto complainant with sticks, chair and alcohol bottle resulting bleeding injuries on his right side neck, right hand and shoulder. However, the complaint was lodged on 09.01.2021 at 9.30 PM and FIR was registered on 09.01.2021 at 1.30 AM. The medical report of Mamata Academy of Medical Sciences Hospital, Bachupally, shows that the patient was

admitted by one Pavan in the said hospital on 09.01.2021 at 01.02 AM, without being referred by the police and the nature of injury is mentioned as 'grievous' without giving any particulars of so called injury/injuries. Thus, looking into the nature of allegations leveled against the petitioner/A1 and considering the facts and circumstances of the case, without advertng to the merits of the case, I am inclined to grant anticipatory bail to the petitioner on some conditions.

6. 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, Bachupally 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.15,000/- (Rupees fifteen thousand only) with two sureties for the like sum each to his satisfaction.

(ii) Further, the petitioner/A1 shall abide by the conditions stipulated under Section 438(2) Cr.P.C.

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

SD/- M. MANJULA
ASSISTANT REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. The Additional Junior Civil Judge Cum X Additional Metropolitan Magistrate Kukatpally, Cyberabad.
2. The XV Additional Metropolitan Sessions Judge, Ranga Reddy District at Kukatpally.
3. The S.H.O., PS, Bachupally, Cyberabad.
4. One CC to M/s. VIJAY B PAROPAKARI, 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:08/04/2021

ORDER

CRLP.No.2509 of 2021

BAIL