

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

FRIDAY, THE THIRTIETH DAY OF APRIL
TWO THOUSAND AND TWENTY ONE

:PRESENT:
THE HON'BLE JUSTICE G SRI DEVI

CRIMINAL PETITION NO: 2507 OF 2021

Between:

1. Md Abdul Khuresh, S/o Late Mohd Yousuf, Occ: Owner of Crime Vehicle bearing number. TATA, TS07UF7743, Business Age: 43 yrs r/o 19-5-482/A, N M Guda, Kishanbagh, Hyderabad.
2. Mohd Jafar, S/o Saleem, Age: 32 yrs r/o 19-5-32/A/47, Asad Baba Nagar, Occ. Labour Nandi Muslai Guda, Bahadurpura, Hyderabad.

...Petitioner/Accused No.2&3

AND

The State of Telangana, rep. by Public Prosecutor, High Court at Hyderabad Represented by .
Kathapalli Police Station

...Respondent/Prosecution

Petition under Section 438 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 pass an order directing the SHO, Kathapalli Police Station to enlarge the petitioners / accused Nos.2&3 above named on bail in the event of their arrest in Cr. No. 26 of 2021 on the file of the Hon'ble Judicial First Class Magistrate, Nakrekal.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of MR.MOHD HABEEB MUSTAFA Advocate for the Petitioners and ASST.PUBLIC PROSECUTOR (TG) for the Respondent, the Court made the following.

ORDER

THE HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION NO.2507 OF 2021

ORDER:

This Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973, is filed by the petitioners/A-2 and A-3 seeking to grant anticipatory bail in the event of their arrest in connection with Crime No.26 of 2021 of P.S. Kethepalli, Nalgonda District, registered for the offences punishable under Section 307 read with Sections 34 and 109 of the Indian Penal Code.

Heard the learned counsel appearing for the petitioners/A-2 and A-3, learned Assistant Public Prosecutor appearing for the respondent-State and perused the record.

Learned counsel for the petitioners/A-2 and A-3 would submit that the petitioners are innocent of the offences alleged against them and have been falsely implicated. The petitioners are having fixed abode and there is no question of absconding. It is further submitted that the petitioners/A-2 and A-3 are willing to furnish suitable security and abide by any condition which this Court may deem fit to impose in the event of granting anticipatory bail. Hence, it is prayed that the petitioners/A-2 and A-3 be granted anticipatory bail.

Learned Public Prosecutor opposed to grant anticipatory bail to the petitioners/A-2 and A-3.

Having regard to the facts and circumstances of the case and in view of the peculiar conditions of pandemic COVID-19 prevailing in the country, without delving into the merits of the case, I am inclined to grant anticipatory bail to the petitioners/A-2 and A-3.

The Criminal Petition is allowed and the petitioners/A-2 and A-3 are granted anticipatory bail subject to the following terms and conditions:

- (1) The petitioners/A-2 and A-3 are directed to surrender before the Station House Officer, P.S. Kethepalli, Nalgonda District, within a period of four weeks from the date of this order and on such surrender, the said Station House Officer shall release the petitioners/A-2 and A-3 on bail on their executing personal bond for a sum of Rs.50,000/- (Rupees fifty thousand only) each with two sureties for a like sum each to his satisfaction.
- (2) The petitioners/A-2 and A-3 shall not be indulged in similar type of offences in future and if it is found that they are indulged in similar type of offences in future, the liberty granted to them shall automatically stand cancelled and they would be taken into custody forthwith.
- (3) The petitioners/A-2 and A-3 shall abide by the other conditions stipulated in Section 438(2) Cr.P.C and co-operate with the Investigating Officer in investigating the case.

Miscellaneous applications, if any, pending shall stand closed.

//TRUE COPY//

SD/- T.KRISHNA KUMAR
ASSISTANT REGISTRAR

SECTION OFFICER

To

1. The Additional District and Sessions Judge, Nalgonda.
2. The Judicial First Class Magistrate at Nakrekal.
3. The Station House Officer, Kethepalli Police Station, Nalgonda District.
4. One CC to MR. MOHD HABEEB MUSTAFA Advocate [OPUC]
5. Two CCs to the PUBLIC PROSECUTOR (TG), High Court at Hyderabad (OUT)
6. One spare copy

HIGH COURT

GSD.J

DATED; 30.04.2021

CRL.P.NO.2507 OF 2021

ANTICIPATORY BAIL

