

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

:PRESENT:

THE HONOURABLE JUSTICE G SRI DEVI
CRIMINAL PETITION NO: 2551 OF 2021

Between:

1. Jangili Venkateshwarlu, S/o. Sattaiah
2. Jangili Prathibha, W/o. Jangili Venkateshwarlu

...Petitioners/Accused Nos.1 and 2

AND

1. The State of Telangana, Rep by its Public Prosecutor, High Court for the State of Telangana at Hyderabad Through Nagaram Police Station, Suryapet at Suryapet District, Telangana State.
2. Mamidi Mallaiah, S/o. Lachaiah, Aged about 38 years, R/o. Phanigiri village, Nagaram Mandal, at Suryapeta District, State of Telangana.

...Respondents/Complainant

Petition under Section 437 and 439 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 enlarge the Petitioners/Accused Nos.1 and 2 on Regular bail in Cr.No.10 of 2021 on the file of Nagaram Police Station, Suryapet, Suryapet District.

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. J. RAGHURAM, Advocate for the Petitioners and of PUBLIC PROSECUTOR for the Respondent No.1, the Court made the following.

ORDER:

THE HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION No.2551 of 2021

ORDER:

This Criminal Petition, under Sections 437 and 439 of the Code of Criminal Procedure, 1973, is filed by the petitioners/A1 and A2 seeking to grant bail to them in connection with Cr.No.10 of 2021 on the file of Nagaram Police Station, Suryapet District, registered for the offences punishable under Sections 506 read with Section 34 IPC and under Section 3(1)(r)(s), 3(2)(va) of SCs & STs (POA) Act, 2015.

2. The petitioners/A1 and A2 have filed I.A.No.1 of 2021, wherein notice was served upon respondent No.2, as is evident from the memo filed by petitioners, but none appears on his behalf. Heard learned counsel appearing for the petitioners/A1 and A2, learned Assistant Public Prosecutor appearing for the respondent-State and perused the record.

3. Learned counsel for the petitioners submits that the petitioners have been falsely implicated in the present crime and they are permanent residents of Suryapet Town and the distance between the police station and the residence of the de-facto complainant is about 40 kms away from the place of petitioners, as such there is no question of tampering the evidence. He further submits that the de-facto complainant is a stranger to the petitioners and there is no knowledge for the petitioners about the community of the de-facto complainant. He further submits that the de-facto complainant has created a false story in order to rope the petitioners in the present case, for which, they have been sent to judicial custody on 10.03.2021. He further submits that the petitioners are law abiding citizens and they are ready to abide by any condition imposed by this Court in the event of their enlargement on bail.

4. Learned Assistant Public Prosecutor vehemently opposed the bail application.

5. Having regard to the facts and circumstances and looking into the nature of allegations leveled against the petitioners/A1 and A2, without advertent to the merits of the case, I am inclined to grant bail to the petitioners/A1 and A2.

6. The Criminal Petition is allowed and the petitioners/A1 and A2 are directed to be released on bail, subject to the following terms and conditions:

- (i) The petitioners/A1 and A2 shall be released on bail on their executing a personal bond to the tune of Rs.15,000/- (Rupees fifteen thousand only) each with two sureties for a like sum each to the satisfaction of the Special Sessions Judge for SCs & STs (POA) Act Cases-cum-VII Additional Sessions Judge, Nalgonda.
- (ii) On such release, the petitioners/A1 and A2 shall appear before the Investigating Officer on third Saturday of every month between 10.00 AM to 2.00 PM., till completion of investigation or filing of the charge sheet, whichever is earlier.
- (iii) the petitioners/A1 and A2 shall appear before the Court concerned personally on each date of hearing till conclusion of trial.
- (iv) the petitioners/A1 and A2 shall not tamper with the prosecution witnesses;
- (v) the petitioners/A1 and A2 shall co-operate with the investigating agency.
- (vi) the petitioners/A1 and A2 shall not misuse the liberty granted to them.

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

SD/- N. CHANDRASEKHARA RAO
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Special Sessions Judge for SCs/STS (POA) Act Cases Cum VII Additional Sessions Judge Nalgonda.
2. The Judicial First Class Magistrate at Thungathurty.
3. The S.H.O., P.S, Nagaram Suryapet District.
4. The Superintendent, District Jail Nalgonda.
5. One CC to M/s. J. RAGHURAM, Advocate [OPUC].
6. Two CCs to PUBLIC PROSECUTOR, High Court for the State of Telangana at Hyderabad [OUT].
7. One spare copy
ZEE

HIGH COURT

GSDJ

DATED:12/04/2021

ORDER

CRLP.No.2551 of 2021

BAIL

