

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

MONDAY, THE TWENTY EIGHTH DAY OF JUNE
TWO THOUSAND AND TWENTY ONE

:PRESENT:
THE HON'BLE JUSTICE G.SRI DEVI

CRIMINAL PETITION NO: 3063 OF 2021

Between:

Abbathini Prabhakar, S/o. Hanmanthu,

Petitioner/Accused

AND

1. State of Telangana, Rep. by Public Prosecutor, High Court of Telangana, Hyderabad
2. Sri Vemula Balaram, S/o. Bhoomaiah, R/o. H.No. 5-3-889/1, Near Shivalayam, Vidya Nagar Colony, Kamareddy.
(As per Court order dated 28-06-2021 in IA. No. 1 of 2021 in CrI.P. No. 3063 of 2021 Respondent No.2 impleaded)

Respondent/De facto Complainant

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 grant Anticipatory Bail to the petitioner/accused in the event of arrest in pursuance of Crime registered in FIR. No. 38/2021, dt. 28-01-2021 under Sections 504 of IPC, 3(1)(r)(s) SC ST POA Act, 2015 on the file of the PS Kamareddy;

The petition coming on for hearing, upon perusing the Petition and the grounds filed therein, and upon hearing the arguments of Sri Vanam Vishwanatham, Advocate for the Petitioner, and of the Asst. Public Prosecutor, for the Respondent No.1, and of Sri S. Sridhar, Advocate for the Respondent No.2, the Court made the following.

THE HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION NO.3063 OF 2021

ORDER:

This Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973, is filed by the petitioner/accused seeking to grant anticipatory bail in the event of his arrest in connection with Crime No.38 of 2021 of 2021 of P.S. Kamareddy, Kamareddy District, registered for the offences punishable under Section 504 of the Indian Penal Code and Section 3(1)(r)(s) of the SCs & STs (POA) Act.

Heard the learned counsel appearing for the petitioner/accused, learned Assistant Public Prosecutor appearing for the respondent-State and Sri S.Sridhar, learned counsel appearing for R-2 and perused the record.

Learned counsel for the petitioner/accused would submit that the petitioner is innocent of the offences alleged against him and has been falsely implicated. The petitioner is having fixed abode and there is no question of absconding. It is further submitted that the petitioner/accused is 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 petitioner/accused be granted anticipatory bail.

Learned Assistant Public Prosecutor opposed to grant anticipatory bail to the petitioner/accused.

From the contents of the FIR and other material papers, it seems that there are cases and counter cases between the parties. Moreover, notices under Section 41-A Cr.P.C. have already been issued by the police concerned.

Having regard to the facts and circumstances of the case and existence of cases and counter cases between the parties and also 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 petitioner/accused.

The Criminal Petition is allowed and the petitioner/accused is granted anticipatory bail subject to the following terms and conditions:

- (1) The petitioner/accused is directed to surrender before the Station House Officer, P.S. Kamareddy, Kamareddy 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 petitioner/accused on bail on his executing personal bond for a sum of Rs.25,000/- (Rupees twenty five thousand only) with two sureties for a like sum each to his satisfaction.
- (2) The petitioner/accused shall appear before the investigating authorities on every third Saturday between 10.00 am and 5.00 pm till completion of investigating and filing of final report.
- (3) The petitioner/accused 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/- R. KARTHIKEYAN
ASSISTANT REGISTRAR


SECTION OFFICER

To,

1. The Judicial Magistrate of First Class, Kamareddy, Nizamabad District.
2. The Station House Officer, PS Kamareddy, Kamareddy District.
3. Two CCs to Public Prosecutor, High Court of Telangana, at Hyderabad (OUT)
4. one CC to Sri Vanam Vishwanatham, Advocate (OPUC)
5. one Spare Copy

HIGH COURT

GSD,J

DATE: 28-6-2021

ORDER

CRL.P. NO. 3063 OF 2021

PETITION ALLOWED

