

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

:PRESENT:

THE HONOURABLE JUSTICE G SRI DEVI
CRIMINAL PETITION NO: 3224 OF 2021

Between:

Sinchetty Venkatesh, S/o. Laxmanna @ Bhojanna

Petitioner/Accused

AND

The State of Telangana, Through Police Station Shankarpally, Rep. by Public Prosecutor,
High Court at Hyderabad.

Respondent/Complainant

Petition under Section 437 & 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 on bail in connection with Crime No. 58 of 2021 on the file of Shankarpally Police Station, Vikarabad district in the interest of justice

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of SRI PALLE SRIHARINATH Advocate for the Petitioner, THE PUBLIC PROSECUTOR for the Respondent and the Court made the following.

ORDER

THE HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION NO.3224 OF 2021

ORDER:

This Criminal Petition, under Sections 437 and 439 of the Code of Criminal Procedure, 1973, is filed by the petitioner/accused seeking to grant bail to him in connection with Crime No.58 of 2021 of P.S. Shankarpally, Chevella, Cyberabad, registered for the offence punishable under Section 304 Part II of the Indian Penal Code.

Heard the learned counsel appearing for the petitioner, learned Assistant Public Prosecutor appearing for the respondent-State and perused the record.

Learned counsel for the petitioner submits that the petitioner has no intention to cause death of any person and he himself surrendered before the police. It is further submitted that the petitioner is in custody since 13.02.2021. The entire investigation is completed except filing of charge sheet. He is willing to abide by any terms and conditions that are imposed by this Court in the event of granting his bail. Hence, it is prayed to enlarge the petitioner on bail.

Learned Assistant Public Prosecutor appearing for the State opposed to grant bail to the petitioner but conceded to the fact that he has been in custody since 13.02.2021.

In **Sheru v. Narcotics Control Bureau**¹, a three Judge Bench of the Apex Court, while granting bail to a person in a case filed under the Narcotic Drugs and Psychotropic Substances Act in view of unusual times of the COVID-19 pandemic, held that they

¹ CrI.A.Nos.585 and 586 of 2020, dated 11.09.2020

consider it appropriate to enlarge the petitioner on bail on terms and conditions to the satisfaction of the trial Court.

In view of the judgment of the Apex Court in **Sheru's case** (1 supra), having regard to the fact that the petitioner is in jail since 13.02.2021 and looking into the nature of allegations levelled against the petitioner and also in view of the peculiar conditions of pandemic COVID-19 prevailing in the country, without delving into the merits of the matter, I am inclined to grant bail to the petitioner.

The Criminal Petition is allowed and the petitioner is directed to be released on bail, subject to the following terms and conditions:

- (i) The petitioner shall be released on bail on his executing a personal bond to the tune of Rs.1,00,000/- (Rupees one lakh only) with two sureties for a like sum each to the satisfaction of the Judicial First Class Magistrate, Chevella, Ranga Reddy District.
- (ii) Commencing from the month of June, 2021, the petitioner shall appear before the investigating authorities on every first Saturday between 10.00 am and 5.00 pm till completion of investigation and filing of final report.
- (iii) The petitioner shall not be indulged in similar type of offences in future and if it is found that he is indulged in similar type of offences in future, the liberty granted to him shall automatically stand

cancelled and he would be taken into custody forthwith.

- (iv) The petitioner shall personally appear before the Court concerned on each date of hearing till conclusion of trial.
- (v) The petitioner shall not interfere with the investigation, intimidate or induce the material witnesses and shall cooperate with the investigating agency.
- (vi) The petitioner shall not misuse the liberty granted to him.

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

SD/- R. KARTHIKEYAN
ASSISTANT REGISTRAR

//TRUE COPY//

~~KSK~~
SECTION OFFICER

To,

1. The Judicial First Class Magistrate, Chevella, Ranga Reddy
2. The Superintendent, Sub-Jail, Parigi at Ranga Reddy District
3. The Station House Officer, Police Station Shankarpally, Vikarabad
4. One CC to SRI. PALLE SRIHARINATH Advocate [OPUC]
5. Two CC's to Public Prosecutor, High Court for the State of Telangana at Hyderabad (OUT)
6. One spare copy

Avs

HIGH COURT

GSDJ

DATED:29/04/2021

ORDER

CRLP.No.3224 of 2021



BAIL