

**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: 3297 OF 2021

Between:

Srinivas Rao Ganta, S/o. Ganta Venkaiah

Petitioner/Accused No.3

AND

The State of Telengana, rep. by P.P., High Court of Telangan at Hyderabad.

Respondent

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 release the Petitioner/accused on bail in the event of their arrest in connection with Cr.No.105 of 2021 dt 06.03.2021 on the file of Khanapuram Haveli Police Station, Khammam

The petition coming on for hearing, upon perusing the Petition and the grounds filed in support thereof and upon hearing the arguments of S VIPLAV SIMHA REDDY Advocate for the Petitioner, and THE ASSISTANT PUBLIC PROSECUTOR for the Respondent, the Court made the following.

ORDER

THE HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION No.3297 of 2021

ORDER:

This Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973, is filed by the petitioner/A3 seeking to grant anticipatory bail in the event of his arrest in Cr.No.105 of 2021 on the file of Khanapuram Haveli Police Station, Khammam District, registered for the offence punishable under Section 307 read with Section 34 IPC.

2. Heard learned counsel for the petitioner/A3, learned Assistant Public Prosecutor appearing for the respondent-State and perused the record.

3. Learned counsel for the petitioner/A3 would submit that the petitioner is innocent of the alleged offence and he has nothing to do with the said offence and that the police, without conducting any enquiry has filed a false case against him. He further submits that one day prior to the present complaint, the de-facto complainant has manhandled the petitioner resulting severe injuries, and he has also filed a complaint against the de-facto complainant and the same was registered as Cr.No.103 of 2021 of Khanapuram Haveli Police Station and that as a counterblast, the present complaint is filed against him. He also submits that the petitioner is not involved in any other crime prior to this occurrence and he is a law abiding citizen and 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 vehemently opposed to grant anticipatory bail to the petitioner.

5. As seen from the contents of the FIR and other material papers, it seems that there is a case and counter case against the petitioner and other accused in this case and the de-facto complainant in other case. The petitioner/A3 has filed a case in Cr.No.103 of 2021 against the de-facto complainant and others on 06.03.2021 and on the same day, the de-facto complainant has filed the present complaint against the petitioner/A3 and others. Thus, looking into the nature of allegations leveled against the petitioner and other facts and circumstances and since there is a case and counter case against the parties, and also in view of peculiar conditions of pandemic COVID-19 prevailing in the country, without delving into the merits of the matter, I am inclined to grant anticipatory bail to the petitioner/A3.

6. The Criminal Petition is accordingly allowed and the petitioner/A3 is granted anticipatory bail subject to the following terms and conditions:

(i) The petitioner/A3 is directed to surrender before the Station House Officer, Khanapuram Haveli Police Station, Khammam 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/A3 on bail on his executing a personal bond to the tune of Rs.25,000/- (Rupees twenty five thousand only) with two sureties for the like sum each to his satisfaction.

(ii) The petitioner/A3 shall abide by the other conditions stipulated in Section 438(2) Cr.P.C.

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

//TRUE COPY//

SD/- K.SHYLESHI
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The II Addl Judicial Magistrate of First Class at Khammam
2. The Station House Officer, Kahanapuram Police Station, Khammam District
3. One CC to SRI. S VIPLAV SIMHA REDDY Advocate [OPUC]
4. Two CC's to Public Prosecutor, High Court for the State of Telangana at Hyderabad (OUT)

HIGH COURT

GSDJ

DATED:29/04/2021

ORDER

CRLP.No.3297 of 2021



BAIL