

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

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

**:PRESENT:
THE HONOURABLE JUSTICE G SRI DEVI
CRIMINAL PETITION NO: 3984 OF 2021**

Between:

Nakka Lakshman, S/o. Peddiah,

Petitioner/Accused No.6

AND

The State of Telangana, Rep. by its Public Prosecutor, High Court
of Telangana

Respondent/Complainant

Petition under Section 438 of Cr.P.C, praying that in the circumstances stated in the grounds filed in of the Criminal Petition, the High Court may be pleased to direct the S.H.O. PS. Gollapally or any other arresting officer to release the Petitioner/A-6 on bail in the event of his arrest in Crime No. 48/2021 in the interest of justice.

The petition coming on for hearing, upon perusing the Petition and the grounds filed in support thereof and upon hearing the arguments of ENUGANTI SUDHANSHU RAO Advocate for the Petitioner and Assistant PUBLIC PROSECUTOR for the Sole Respondent, and the Court made the following.

ORDER:

THE HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION No.3984 of 2021

ORDER:

This Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973, is filed by the petitioner/Accused No.6 seeking to grant anticipatory bail in the event of his arrest in connection with Crime No.48 of 2021 of Gollapally Police Station, Jagtial District, which was registered for the offences punishable under Sections 341, 307 and 382 read with 34 and 109 I.P.C.

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

3. It is submitted on behalf of the petitioner that the petitioner is relative of the *de facto* complainant and Accused No.5 is own brother of the *de facto* complainant. The petitioner along with accused No.5 has hatched a plan and instigated/abetted accused Nos.1 to 4 to kill the *de facto* complainant. It is further submitted that even according to the allegations in the complaint petition, A.1 to A.4 have participated in commission of the crime and admittedly, the petitioner is not a party to the said occurrence. Moreover, in this case the main accused have already been arrested and have been released on bail. Charge sheet has already been submitted in this case. Hence, the custodial interrogation of the present petitioner is not required.

4. Learned Assistant Public Prosecutor though opposed the bail application, conceded that charge sheet has already been filed in this case.

5. Thus looking into the nature of allegations levelled against the petitioner/Accused No.6 and having regard to the other facts and circumstances of the case, without advertising into the merits of the case, I am inclined to grant anticipatory bail to the petitioner/Accused No.6.

6. Accordingly, the Criminal Petition is allowed and the petitioner/accused No.6 is granted anticipatory bail subject to the following terms and conditions:

(1) The petitioner/accused No.6 is directed to surrender before the Station House Officer, Gollapally Police Station, Jagtial District, within a period of four (04) weeks from the date of this order and on such surrender, the said Station House Officer shall release them on bail on their executing a personal bond to the tune of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties for a like sum each to the satisfaction of the said Station House Officer.

(2) The petitioner/accused No.6 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.

//TRUE COPY//

SD/-K.ONESIM
ASSISTANT REGISTRAR
SECTION OFFICER

To,

1. The II Additional District & Session Judge, Jagtial.
2. The Station House Officer, Gollapally Police Station, Jagtial.
3. One CC to SRI. ENUGANTI SUDHANSHU RAO Advocate [OPUC]
4. Two CCs to PUBLIC PROSECUTOR, High Court at Hyderabad. [OUT]
5. One spare Copy

HIGH COURT

GSDJ

DATED:07/06/2021

ORDER



CRLP.No.3984 of 2021

BAIL