

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: 4031 OF 2021

Between:

1. Roundla Govardhan, S/o Ganganna
2. Roundla Kistamma, W/o Govardhan

Petitioner/Accused Nos.1 & 2

AND

The State of Telangana, through S.H.O., Bheempur Police Station, Adilabad District,
Rep. by its Public Prosecutor, High Court, Hyderabad.

Respondent/Complainant

Petition under Section 438 of Cr.P.C, praying that in the circumstances stated in the Criminal Petition, the High Court may be pleased to enlarge the petitioners herein on bail in the event of their arrest in connection with F.I.R., No. 20/2021 of Bheempur Police Station, Adilabad District.

The petition coming on for hearing, upon perusing the Petition and the grounds filed in support thereof and upon hearing the arguments of Sri GAJANAND CHAKRAVARTHI, Advocate for the Petitioners and Asst. PUBLIC PROSECUTOR, for the Respondents the Court made the following.

ORDER:

THE HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION No.4031 of 2021

ORDER:

This Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973, is filed by the petitioners/Accused Nos.1 and 2 seeking to grant anticipatory bail in the event of their arrest in connection with Crime No.20 of 2021 of Bheempur Police Station, Adilabad, which was registered for the offences punishable under Sections 307, 290, 506 and 323 read with 34 I.P.C.

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

3. Learned counsel for the petitioners would submit that a false case has been foisted against the petitioners; that as a counter blast to the complaint lodged by the petitioners, the complainant has lodged the present complaint and ultimately, prayed this Court to grant anticipatory bail to the petitioners.

4. The petitioners are wife and husband and they have been falsely implicated in this case. The petitioners have not committed any offence much less the offences alleged against them in the complaint petition. The *de facto* complainant, with a *mala fide* intention to harass the petitioners, has foisted a false case against the petitioners for the aforesaid offences though there is no injury report whatsoever regarding the alleged assault made by the petitioners. It is further submitted that the victim is a Sarpanch of Pipalkoti Gram Panchayat and she is very negligent in discharging her duties and there are various problems in the Village, but she is

reluctant to take any steps to attend the grievances of the village people. The petitioners are facing one such problem with regard to drainage and water and they have been requesting the victim to take steps to solve the problem, but she paid a deaf ear. However, on 16.05.2021 when the drainage pipeline struck off and drainage water was stagnated, the petitioners went to the house of victim and complainant for redressal of their grievances, but, the victim and complainant became wild, rather they abused the petitioners in filthy language and assaulted them indiscriminately causing multiple injuries, for which the petitioners lodged a complaint against the victim and complainant at Bheempur Police Station. As a counter blast to the said case, the present complaint has been lodged by the complainant on 17.05.2021 without there being any iota of truth in it. It is further submitted that the petitioners are ready to abide by any condition.

5. Learned Assistant Public Prosecutor opposed to grant anticipatory bail to the petitioners.

6. Thus looking into the nature of allegations levelled against the petitioners/Accused Nos.1 and 2 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 petitioners/Accused Nos.1 and 2.

7. Accordingly, the Criminal Petition is allowed and the petitioners/accused Nos.1 and 2 are granted anticipatory bail subject to the following terms and conditions:

- (1) The petitioners/accused Nos.1 and 2 are directed to surrender before the Station House Officer, Bheempur Police Station, Adilabad, 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.15,000/- (Rupees Fifteen Thousand only) each with two sureties for a like sum each to the satisfaction of the said Station House Officer.

(2) Further, the petitioners/accused Nos.1 and 2 shall appear before the Investigating Officer on 3rd Saturday of every month commencing from July, 2021, between 10:00 AM and 5:00 PM till completion of investigation and filing of Final Report.

(3) The petitioners/accused Nos.1 and 2 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.SHYLESHI
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Judicial First Class Magistrate at Adilabad.
2. The Station House Officer, Bheempur Police Station, Adilabad District.
3. One CC to SRI GAJANAND CHAKRAVARTHI Advocate [OPUC]
4. Two CCs to PUBLIC PROSECUTOR, High Court at Hyderabad. (OUT)
5. One spare copy

mvj

HIGH COURT

GSD,J

DATED:07/06/2021

ORDER

CRLP.No.4031 of 2021



BAIL