

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

FRIDAY, THE EIGHTEENTH DAY OF JUNE TWO THOUSAND AND TWENTY ONE

:PRESENT:
THE HONOURABLE JUSTICE G SRI DEVI

CRIMINAL PETITION NO: 4340 OF 2021

Between:

Kadiyam Srinivas Rao, S/o Late Satyanarayana

Petitioner/Accused No.6

AND

The State of Telangana, rep by SHO, PS, Badrachalam Town, Rep by its 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 Criminal Petition, the High Court may be pleased to enlarge the
petitioner/A6 on bail in connection with Crime No. 88 of 2021 of PS, Badrachalam
Town.

The petition coming on for hearing, upon perusing the Petition and the grounds
filed in support thereof and upon hearing the arguments of Sri J ASHVINI KUMAR,
Advocate for the Petitioner, Asst. PUBLIC PROSECUTOR for the Respondent, the
Court made the following.

ORDER:

THE HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION NO.4340 OF 2021

ORDER:

This Criminal Petition, under Sections 437 and 439 of the Code of Criminal Procedure, 1973, is filed by the petitioner/A-6, seeking to grant bail to him in connection with Crime No.88 of 2021 of P.S. Bhadrachalam Town, Bhadrachalam District, registered for the offences punishable under Sections 408, 420 and 380 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 is innocent of the crime alleged and that the police have foisted a false case against him. It is further submitted that the petitioner is in custody since 06.05.2021. He is willing to abide by any terms and conditions that are imposed by this Court in the event of granting him bail. Hence, it is prayed to enlarge the petitioner/A-6 on bail.

Learned Assistant Public Prosecutor opposed to grant bail to the petitioner/A-6.

The only allegation against the present petitioner is that he advised A-5 and also supplied him three electric meters to replace the original meters and get less electricity billing in the premises of A-5 where he is running zym. It is further submitted that the petitioner is in custody since 06.05.2021 and there are no previous criminal antecedents.

Having regard to the fact that the petitioner is in jail since 06.05.2021 and looking into the nature of allegations levelled against the petitioner/A-6 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/A-6.

The Criminal Petition is allowed and the petitioner/A-6 is directed to be released on bail, subject to the following terms and conditions:

- (i) The petitioner/A-6 shall be released on bail on his executing a personal bond to the tune of Rs.30,000/- (Rupees thirty thousand only) with two sureties for a like sum each to the satisfaction of the Judicial First Class Magistrate at Bhadrachalam.
- (ii) Commencing from the month of July, 2021, the petitioner/A-6 shall appear before the investigating authorities on every Sunday between 10.00 am and 5.00 pm till completion of investigation and filing of final report.
- (iii) The petitioner/A-6 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, liberty granted to him shall automatically stand cancelled and he would be taken into custody forthwith.
- (iv) The petitioner/A-6 shall personally appear before the Court concerned on each date of hearing till conclusion of trial.

(v) The petitioner/A-6 shall not interfere with the investigation, intimidate or induce the material witnesses and shall cooperate with the investigating agency.

(vi) The petitioner/A-6 shall not misuse the liberty granted to him.

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

//TRUE COPY//

SD/- K.SHYLESHI
ASSISTANT REGISTRAR

Ch. Ch.
SECTION OFFICER

To,

- 1.
 2. The Judicial First Class Magistrate at Bhadrachalam.
 3. The Superintendent, Sub-Jail at Bhadrachalam.
 4. The Station House Officer, PS, Bhadrachalam Town
 5. One CC to SRI J ASHVINI KUMAR Advocate [OPUC]
 6. Two CCs to PUBLIC PROSECUTOR, High Court at Hyderabad. (OUT)
 7. One spare copy
- mvj

HIGH COURT

GSD,J

DATED:18/06/2021

ORDER

CRLP.No.4340 of 2021

BAIL

