

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

CRIMINAL PETITION Nos.6637 and 6639 of 2021

COMMON ORDER:

These Criminal Petitions, under Section 439 of the Code of Criminal Procedure, 1973, is filed by the petitioners/A1 and A4, for grant of bail in Crime No.16 of 2021 of Vikarabad Town Police Station, Vikarabad District, registered for the offences punishable under Section 304-II of IPC and Section 37A(1) of Telangana State Excise Act.

2. Heard the learned counsel for the petitioners/A1 and A4, the learned Assistant Public Prosecutor representing the respondent-State and perused the record.

3. Learned counsel for the petitioners/A1 and A4 would submit that the petitioners/A1 and A4 have nothing to do with the death of one P.Kista Reddy. The deceased died of seizures. The petitioner/A1 is not the licence holder of Toddy Compound, Chittigidda and the petitioner/A4 is not working in Toddy Compound to connect them with the alleged offences. Entire investigation is completed and ultimately prayed to allow the criminal petition as prayed for.

4. On the other hand, the learned Assistant Public Prosecutor opposed the grant of bail to the petitioners/A1 and A4.

5. It is evident from the record that A6 is the license holder of Toddy Compound, Chittigidda and he leased the same to the petitioner/A1 and A2 for Rs.4,00,000/-. On 08.01.2021, around

9:00 hours, the deceased went to the said shop and consumed toddy. Thereafter, the deceased went to his field and fell unconscious. Noticing the same, labourers working in the nearby fields have rushed to him and made him sit right. After that the deceased went to his house and on the same day night, the deceased went to his cattle shed for milking she buffaloes and subsequently he died. The cause of death mentioned in the Post mortem report of the deceased, reads as follows:-

“Ethyl Alcohol & Benzodiazepine Intoxication”

6. Under these circumstances, it cannot be said that the subject death is a natural death. The matter is under investigation. Since the petitioner/A1 is running the toddy shop in question on lease and the petitioner/A4 is an employee of the said toddy compound and since the investigation is not yet completed, this Court is not inclined to grant bail to the petitioners/A1 and A4 under Section 439 Cr.P.C.

7. Accordingly, the Criminal Petitions are dismissed.

Dr. SHAMEEM AKTHER, J

Date: 15.09.2021
 ssp