

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD
TUESDAY, THE FIFTH DAY OF JANUARY TWO THOUSAND AND TWENTY ONE

:PRESENT:
THE HONOURABLE SRI JUSTICE T.VINOD KUMAR

CRIMINAL PETITION NO: 6045 OF 2020

Between:

Gona Sandeep, S/o. Gona Vijaya bas

Petitioner/Accused No.2

AND

The State of Telangana, through S.H.O., P.S. Jeedimetla, Cyberabad
Commissionerate, Ranga Reddy District, represented by Public Prosecutor, High
Court at Hyderabad

Respondent/Complainant

Petition under Section 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/ Accused
No.2, on bail arrested in Crime No. 659 of 2020, of P.S. Jeedimetla, Cybereabad
Commissionerate, Ranga Reddy District.

The petition coming on for hearing, upon perusing the Petition and the memo of
grounds filed in support thereof and upon hearing the arguments of
Sri K VENUMADHAV, Advocate for the Petitioner, Addl. PUBLIC PROSECUTOR for
the Respondent, the Court made the following.

ORDER:

THE HON'BLE SRI JUSTICE T.VINOD KUMAR

CRIMINAL PETITION No.6045 of 2020

ORDER:

This criminal petition under Sections 437 and 439 of the Code of Criminal Procedure, 1973, for grant of regular bail, is filed by the petitioner – Accused No.2 (A.2) in Crime No.659 of 2020 on the file of P.S. Jeedimetla, Cyberabad Commissionerate, Ranga Reddy District, registered for the offences punishable under Sections 509 and 302 read with Section 34 IPC.

2. Heard learned counsel for the petitioner – A.2 and learned Additional Public Prosecutor appearing for the respondent – State and perused the record.

3. With the consent of the learned counsel appearing for the parties, the criminal petition is taken up for hearing through Video Conferencing in the virtual Court today, i.e. 05.01.2021.

4. Learned counsel for the petitioner – A.2, by drawing the attention of this Court to the complaint given and the remand report filed, would submit that no overt act of the petitioner involving himself in the commission of offence under Section 302 IPC is made out. Learned counsel would further submit that the investigation in the above crime is complete, as the respondent authorities have already examined more than 18 witnesses and the charge sheet has been filed before the concerned Court. It is also submitted that the main accused i.e. A.1, in the above crime has been enlarged on bail by the trial Court about four days ago. The learned counsel would further submit that the petitioner has been in judicial custody since 03.10.2020 viz., for more than 90 days, prays for grant of regular bail to the petitioner.

5. Learned Public Prosecutor, on the other hand, would submit that the offences with which the petitioner is charged are under Sections 302 and 509 read with Section 34 IPC. Learned Additional Public Prosecutor would further submit that the investigation in the matter is complete and the respondent authorities have filed charge sheet before the concerned Court on 31.12.2020. Upon filing of charge sheet, the same is numbered as PRC No.1 of 2021. It is further submitted that the petitioner is also involved in one more crime, being Crime No.421 of 2017, and thus, he is a habitual offender.

6. Having regard to the submissions made as above and considering the fact that the charge sheet in the matter already having been filed and Accused No.1 in the above crime having been enlarged on bail by the trial Court, this Court is of the view, that the petitioner, who is arrayed as A.2 in the above crime, can also be granted regular bail subject to following conditions:

(i) The petitioner – A.2 shall be released on bail on his executing a personal bond for an amount of Rs.50,000/- (Rupees Fifty Thousand only) with two sureties for a like sum each to the satisfaction of the learned XXI Metropolitan Magistrate, Cyderabad at Medchal;

(ii) The petitioner – A.2 shall appear before the concerned trial court on every date of hearing and shall not misuse the liberty granted hereunder;

(iii) The petitioner – A.2 shall not leave the jurisdiction of the concerned Court without prior permission of the Court concerned;

(iv) Petitioner – A.2 shall not try to contact/influence/ intimidate the witnesses or the de facto complainant, either by himself or through intermediaries, while being on bail or try or tamper with the evidence ;

(v) If the petitioner - A.2 fails to comply with any of the conditions stipulated hereinabove, liberty granted to him shall automatically stand cancelled and the petitioner - A.2 shall be taken into custody forthwith.

7. Subject to the above, the criminal petition is allowed. Pending miscellaneous petitions, if any, shall stand closed in the light of this final order.

SD/- B. SATYAVATHI
ASSISTANT REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. The XXI Metropolitan Magistrate, Cyberabad at Medchal.
2. The Superintendent, Cherpally Central Prison.
3. The Station House Officer, P.S. Jeedimetla, Cyberabad Commissionerate, Ranga Reddy District
4. One CC to SRI K VENUMADHAV, Advocate [OPUC]
5. Two CCs to PUBLIC PROSECUTOR (TG), High Court at Hyderabad. (OUT)
6. One spare copy

mvj

HIGH COURT

TVK,J

DATED:05/01/2021

ORDER

CRLP.No.6045 of 2020

BAIL



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