

IN THE HIGH COURT FOR THE STATE OF TELANGANA
THURSDAY, THE THIRTIETH DAY OF SEPTEMBER
TWO THOUSAND AND TWENTY ONE
:PRESENT:
THE HONOURABLE DR. JUSTICE SHAMEEM AKTHER
CRIMINAL PETITION NO: 7330 OF 2021

Between:

Mohd, Abdul Khusro, S/o. Mohammed Abdul Sattar,

Petitioner/Accused No.2

AND

State of Telangana, Through PS, Hussainialam, Hyderabad Rep. By its Public
 Prosecutor High Court of Telangana at Hyderabad.

Respondent/Complainant

Petition under Section 438 of Cr.P.C, praying that in the circumstances stated in the grounds filed in the Criminal Petition, the High Court may be pleased to enlarge the petitioner/ accused no.2 on Anticipatory Bail in the event of his arrest in Crime No. 123 of 2021 on the file of PS, Hussainialam, Hyderabad to abide by the condition or conditions that might be imposed by this Court.

The petition coming on for hearing, upon perusing the Petition and the grounds filed in support thereof and upon hearing the arguments of SRI DINESH JAISWAL Advocate for the Petitioner and the PUBLIC PROSECUTOR for the Respondent, the Court made the following.

ORDER:

This Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973 (for short, 'Cr.P.C.'), is filed by the petitioner/A2, for grant of anticipatory bail in Crime No.123 of 2021 of Hussainialam Police Station, Hyderabad, registered for the offences punishable under Sections 326 and 506 read with 34 of I.P.C.

2. Heard both sides. Perused the record.

3. As seen from the material placed on record, the specific allegation against the petitioner/A2 is that on 05.07.2021 at about 03:00 AM at Makkah Tiffins, Panchmohalla Kaman, near Charminar, Hyderabad, he beat the *de facto* complainant with hands. So, it cannot be concluded that the petitioner/A2 has caused grievous injuries to the *de facto* complainant. In view of the nature of the allegations levelled against the petitioner/A2 and the gravity of offence, this Court is inclined to grant anticipatory bail to the petitioner/A2 under Section 438 Cr.P.C., subject to the following conditions:

- (i) The petitioner/A2 is directed to surrender before the Station House Officer, Hussainialam Police Station, Hyderabad, within a period of fifteen (15) days from the date of this order.

(ii) On such surrender, the said Station House Officer shall release the petitioner/A2 on bail, on his executing a personal bond for a sum of Rs.25,000/- (Rupees twenty five thousand only) with two sureties for a like sum each to his satisfaction.

(iii) On such release, the petitioner/A2 shall report before the Station House Officer, Hussainialam Police Station, Hyderabad, on every Sunday between 10:00 AM and 11:00 AM till filing of charge sheet.

(iv) The petitioner/A2 shall not, directly or indirectly, meddle with the investigation, intimidate or induce the witnesses, tamper the evidence and he shall co-operate with the Investigating Officer for smooth completion of the investigation.

(v) The petitioner/A2 shall also abide by the conditions stipulated in Section 438(2) Cr.P.C.

4. The Criminal Petition is, accordingly, allowed.

Miscellaneous petitions, if any, pending in this Criminal Petition, shall stand closed.

//TRUE COPY//

SD/-B.SATYAVATHI
ASSISTANT REGISTRAR
Chm.
SECTION OFFICER

To,

1. The Chief Metropolitan Magistrate at Nampally, Hyderabad.
2. The Station House Officer, PS, Hussainialam, Hyderabad
3. One CC to SRI. DINESH JAISWAL Advocate [OPUC]
4. Two CCs to PUBLIC PROSECUTOR, High Court at Hyderabad. [OUT]
5. One spare Copy

HIGH COURT

DRSAJ

DATED:30/09/2021

ORDER

CRLP.No.7330 of 2021

BAIL

