

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

THURSDAY, THE TWENTY EIGHTH DAY OF OCTOBER
TWO THOUSAND AND TWENTY ONE

:PRESENT:

**THE HONOURABLE JUSTICE G SRI DEVI
CRIMINAL PETITION NO: 7732 OF 2021**

Between:

- ✓ 1. Tella Ravi Kumar, S/o. Hanmandlu Munnuru Kapu
- ✓ 2. Kottam Manohar, S/o. Makkaji Munnuru Kapu

Petitioner/Accused 6 & 7

AND

✓ The State of Telangana, Represented by Public Prosecutor High Court, Hyderabad Through S.H.O., P.S. Kotagiri, Nizamabad District.

Respondent

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 release the Petitioners/Accused ✓ no 6 and 7 on bail in the event of their arrest in connection with FIR No.99/2021 dated 12/09/2021 on the file of P.S., Kotagiri, Nizamabad 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 K DURGA PRASAD Advocate for the Petitioners to Assistant Public Prosecutor for the Sole Respondent, the Court made the following.

ORDER

THE HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION No.7732 of 2021

ORDER:

This Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973, is filed by the petitioners/A6 and A7 seeking to grant anticipatory bail in the event of their arrest in Cr.No.99 of 2021 on the file of Kotagiri Police Station, Nizamabad District, registered for the offences punishable under Sections 147, 148, 506, 307 read with Section 149 IPC.

2. Heard learned counsel appearing for the petitioners/A6 and A7, learned Assistant Public Prosecutor appearing for the respondent-State and perused the record.

3. The case of the prosecution is that on 11.09.2021, due to political rivalry, all the accused have attacked the brother of the de-facto complainant with axes and iron rods and caused injuries over his head with an intention to kill him.

4. Learned counsel for the petitioners submits that the petitioners are innocent of the alleged offences and they have been falsely implicated in the present case. He further submits that there are no specific allegations against the petitioners, except their presence at the time of incident. He also submits that the petitioners have no criminal antecedents prior to this occurrence and they are law abiding citizens and ready to abide by any condition imposed by this Court in the event of their enlargement on anticipatory bail.

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

6. A perusal of the remand case diary, it seems that there was political rivalry between both the groups belongs to the same village and the same party and that there was a tussle between the parties on 09.09.2021 and quarreled with each other, for which case and counter cases have been

registered by them and again on 11.09.2021, there was a tussle between the parties and the petitioners/A6 and A7 have alleged to have supported A1, who assaulted the injured with an iron rod. Thus, causing of any injury by these petitioners has not been mentioned by the police. Thus, looking into the nature of allegations leveled against the petitioners and other facts and circumstances, without delving into the merits of the matter, I am inclined to grant anticipatory bail to them.

7. The Criminal Petition is allowed and the petitioners/A6 and A7 are granted anticipatory bail subject to the following terms and conditions:

- (i) The petitioners/A6 and A7 are directed to surrender before the Station House Officer, Kotagiri Police Station, Nizamabad District, within a period of 15 days from the date of this order and on such surrender, the said Station House Officer shall release the petitioners on bail on their executing a personal bond to the tune of Rs.25,000/- (Rupees twenty five thousand only) each with two sureties for the like sum each to his satisfaction.
- (ii) On such release, the petitioners/A6 and A7 shall appear before the Investigating Officer on every Saturday between 10.00 AM and 5.00 PM., till completion of the investigation and filing of the charge sheet.
- (iii) The petitioners/A6 and A7 shall not indulge in any similar type of activities in future. If they are indulged in similar type of activities in future, liberty granted to them shall stand cancelled automatically.
- (iv) The petitioners/A6 and A7 shall abide by the other conditions stipulated in Section 438(2) Cr.P.C. and cooperate with the investigation.

8. Miscellaneous applications, if any pending in this criminal petition, shall stand closed.

SD/- T TIRUMALA DEVI
Assistant Registrar

//TRUE COPY//

For ASSISTANT REGISTRAR

To,

1. The Additional Judicial First Class Magistrate at Bodhan
2. The Station House Officer, Kotagiri Police Station, Nizamabad District.
3. One CC to SRI. K DURGA PRASAD Advocate [OPUC]
4. Two CCs to PUBLIC PROSECUTOR, High Court at Hyderabad [OUT]
5. One spare Copy

HIGH COURT

GSDJ

DATED:28/10/2021

ORDER

CRLP.No.7732 of 2021

BAIL

