

HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

CRIMINAL PETITION No. 8847 OF 2021

ORDER:

This Criminal Petition, under Section 438 Cr.P.C., is filed by the petitioner – Accused No.6 seeking bail in the event of his arrest in connection with Crime No. 216 of 2021 of Kamalapur Police Station, Hanumakonda District, registered for the offences punishable under Sections 294(B), 504, 505, 509 and 506(2) of the Indian Penal Code and Section 67 A of the Information Technology Act.

2. The case of the prosecution is that the complainant lodged a report stating that he gave his house on rent to TRS Party office and that on 29.10.2021, one Bandi Sadanandam, a BJP party member and member in Telangana State Mudiraj Society Whatsapp group, has forwarded an obscene video on his family members in the said group and the same was informed to him by one Reddy Sadhi, S/o. Kanukaiah, who is also member in the said group, which in turn was posted in Raj News Elkt Updates Whatsapp group.

3. Heard the learned counsel for the petitioner, learned Assistant Government Pleader appearing for the State and perused the material available on record.

4. Learned counsel, Sri M. Anil Kumar, appearing for the petitioner submits that even in the report dated

29.10.2021, there is no whisper about the involvement of the petitioner and also in the entire remand report it is only mentioned about A-1 to A-4. Except stating that at the instance of A-2 to A-7 the said video was posted in all the Whatsapp groups, there are no specific overt acts against the petitioner. It is also submitted that the petitioner is aged about 61 years and he is suffering with health ailments and that the petitioner has no criminal antecedents and he has been implicated in this case and hence, his case may be considered for grant of pre-arrest bail.

5. On the other hand, learned Assistant Public Prosecutor submits that at the instance of A-2 to A-7, A-1 has forwarded the video and that A-2 to A-5 were already arrested.

6. Taking into consideration the fact that neither in the complaint nor in the remand report, there are specific overt acts against the present petitioner, this Court deems it appropriate to grant pre-arrest bail to the petitioner/A-6.

7. Accordingly, this Criminal Petition is allowed. Petitioner – Accused No.6 shall surrender before the Station House Officer, Kamalapur, Hanumakonda District, in connection with Crime No. 216 of 2021 within one week from today and on such surrender and executing a personal bond for Rs.20,000/- (Rupees twenty thousand only) with two

sureties for a like sum each to the satisfaction of the said Station House Officer, he shall be released on bail. It is made clear that no further extension of time will be granted.

Miscellaneous applications, if any, pending shall stand closed.

LALITHA KANNEGANTI, J

6th December 2021
RRB