

THE HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

CRIMINAL PETITION No.714 of 2022

O R D E R:

This Criminal Petition is filed under Sections 437 and 439 Cr.P.C seeking regular bail to the petitioner – Accused No. 1 in connection with Crime No. 1435 of 2021 of Pet Baseerabad Police Station, Nalgonda District, wherein the petitioner is alleged to have committed the offences punishable under Sections 304-II, 337 read with Section 109 IPC. and Sections 181, 185, 187, 196 of the MV Act.

2. The case of the prosecution is that on 20.12.2021, at about 03.30 hours, police received a report from Sri Mohd. Quddus, PC 5426 stating that on 20.12.2021 at about 00.40 hours, while they were performing night patrolling duty on mobile-II vehicle, they received one call that an accident occurred near Forest Academy, Dhulapally. They reached the spot and found one driver of Nissan Car bearing Registration No. TS 07 ET 6868 who drove the car in a rash and negligent manner towards Dhulapally from Bahadurpally and hit one tree, as a result, the person who sat in the back seat namely A. Balakrishna received severe injuries and succumbed to the same.

3. Learned counsel for the petitioner Sri B. Ramulu submits that petitioner was arrested and remanded to judicial custody on 22.12.2021 and from the last 42 days, he has been languishing in jail. He submits that because of some technical issues, the accident had occurred and the petitioner has not committed the offence and as the inmate of the car died, he was arrested. Learned counsel further submits that the other accused

has already been enlarged on bail, hence, the case of the petitioner may also be considered.

4. On the other hand, learned Additional Public Prosecutor submits that so far, five witnesses were examined and investigation is still pending. He further submits that due to rash and negligent driving of the petitioner, innocent person has lost his life, hence, the petitioner is not entitled for grant of bail.

5. Taking into consideration the fact that the petitioner was arrested on 22.12.2021 and has been languishing in jail for the last 42 days, this Court deems it appropriate to grant bail to him.

6. Accordingly, this Criminal Petition is allowed and the petitioner – Accused No. 1 shall be enlarged on bail on his executing a personal bond for a sum of Rs.20,000/- (Rupees twenty thousand only) with two sureties for a like sum each to the satisfaction of the XXII Additional Metropolitan Magistrate, Cyberabad at Medchal.

LALITHA KANNEGANTI, J

3rd February, 2022

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