

THE HONOURABLE SMT. JUSTICE JUVVADI SRIDEVI

CRIMINAL PETITION No.4383 OF 2022

ORDER:

This Criminal Petition under Section 438 Cr.P.C. is filed by the petitioner – Accused No.4 seeking bail in the event of his arrest in connection with PRC No.23 of 2021 on the file of Judicial Magistrate of First Class, Special Mobile, Mahabubnagar, arising out of Crime No.08 of 2021 of Nawabpet Police Station, Mahabubnagar District, registered for the offences punishable under Sections 323, 506 and 306 read with Section 34 IPC.

2. The brief facts of the prosecution case are that, the *de facto* complainant/Godugu Balaiah lodged a complaint on 12.01.2021 stating that, his son/Godugu Naveen Kumar went to Kollar Village along with his friends Srisailam and Godugu Srinu on motor cycle for having meals. On their way, when they reached the outskirts of Pomal Village, Accused Nos.1 and 2 came in opposite direction on a motor cycle and his son advised them to ride the motor cycle carefully and went to Kollur. After having meals, they returned back to their village. Later the Accused No.3 called the deceased/son of *de facto* complainant and asked him to come to Mudhiraj Colony and as such the deceased went there and the petitioner/Accused No.4 and Accused Nos.1 to 3 came to him and picked

up quarrel and beat him with hands and threatened him with dire consequences and left the place. The deceased/son of *de facto* complainant felt insulted and shame on the said issue, immediately informed Mandula Srisailam that he is going to commit suicide near Bangaru Maisamma temple and accordingly, he committed suicide. The *de facto* complainant went to the spot and noticed the dead body of the deceased.

3. Sri.K.Venkatesh Gupta, learned counsel for the petitioner submits that there are no specific allegations against the petitioner. He further submits that the petitioner did not commit any offence as alleged in the complaint and he is falsely implicated in the present crime. It is further submitted that, entire investigation is completed and charge sheet was also filed and it was registered as PRC No.23 of 2021. Accused Nos.1 to 3 were already remanded to judicial custody and also granted bail. Hence, the case of the petitioner may be considered for grant of pre-arrest bail.

4. On the other hand, learned Assistant Public Prosecutor opposed the anticipatory bail application. He submits that the petitioner is absconding, as such he is not entitled for grant of pre-arrest bail.

5. Heard learned counsel for the petitioner as well as learned Assistant Public Prosecutor and perused the material on record.

6. As seen from the material on record, entire investigation has been completed and charge sheet was also filed and there are no specific allegations against the petitioner. Hence, this Court deems it appropriate to grant pre-arrest bail to the petitioner.

7. Accordingly, the Criminal Petition is allowed and the Petitioner – Accused No.4 shall surrender before the Judicial Magistrate of First Class, Special Mobile, Mahabubnagar within ten days from today and on such surrender and 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 the satisfaction of the said Judicial Magistrate of First Class, Special Mobile, Mahabubnagar, he shall be enlarged on bail. It is made clear that no further extension of time will be granted.

JUVVADI SRIDEVI, J

Date: 19.05.2022

mar/NS