

THE HON'BLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No. 5701 of 2022

ORDER:

This Criminal Petition is filed under Section 437 & 439 of the Code of Criminal Procedure, 1973 (for short "Cr.P.C.") seeking to enlarge the petitioner/A2 on bail in connection with Crime No.114 of 2022, on the file of Kulsumpura Police Station, Goshamahahal Division, Hyderabad, registered for the offences punishable under Sections 302, 201 read with 34 of Indian Penal Code.

2. Heard the learned counsel for the petitioner and learned Assistant Public Prosecutor for the respondent-State and perused the record.

3. The brief case of the prosecution is that on 29.04.2022 at 1.30 a.m., the Accused No.1, firstly strangled his father with the help of helmet lock cable, later beaten on the testicles, once again strangled with helmet lock cable, when the deceased went in unconscious state, he informed his brother-petitioner/A2, in turn, petitioner reached the spot, found that their father in semi unconscious state. While taking him to the hospital with the help of Accused No.1 on the two-wheeler bike, and saw on the way their father died. Both Accused No.1 and this petitioner/A2 taken the dead body to Moosi river bed near Pillar No.120, thrown the dead

body, later Accused No.1 got down and hidden the dead body by covering it through available mud.

4. Learned Counsel for the petitioner/A2 submits that even according to the prosecution case, Accused No.1 attacked the deceased and in the process of taking the body to the hospital, this petitioner/A2 helped Accused No.1 in throwing the body at Pillar-120 of Moosi river.

5. Learned Assistant Public Prosecutor opposes bail stating that he is also having knowledge about Accused No.1 causing fatal injuries to the father and helped him in disposing of the body.

6. As seen from the Remand Report, the allegation of beating is against Accused No.1 and subsequent to the deceased falling down this petitioner had approached the scene of offence, for which reason, this petitioner can be granted bail who is in jail since 01.05.2022.

7. Accordingly, this Criminal Petition is allowed and the petitioner/A2 can be released on bail subject to following conditions:

- i. The petitioner/A2 is directed to be released on bail on his executing personal bond for Rs.25,000/-(Rupees Twenty Five Thousand only) with two sureties for a like

sum each, to the satisfaction of XVI Additional Chief Metropolitan Magistrate, Hyderabad.

ii. On such release, the petitioner/A2 shall appear before the concerned Station House Officer on every Monday between 10.30 a.m. to 1.00 p.m. for a period of two months or till filing of charge sheet whichever is earlier, for the purpose of investigation.

iii. The petitioner/A2 shall comply with the conditions as laid down under Section 437 (3) of Cr.P.C.

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

Date :11.07.2022
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K.SURENDER, J

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Dt.11.07.2022

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