

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION No.8875 OF 2022****ORDER:**

This Criminal Petition is filed under Sections 437 and 439 of Code of Criminal Procedure (for short "Cr.P.C") seeking regular bail to the petitioner who is arrayed as Accused No.1 in Crime No.147 of 2021 pending on the file of Station House Officer, Kondurgu Police Station, Cyberabad registered for the offences punishable under Sections 304-II and 504 read with Section 34 of Indian Penal Code and Sections 3(1)(r)(s), 3(2)(v) of SC/ST POA Act, 2015.

2. Heard learned counsel for the petitioner/Accused No.1 and learned Assistant Public Prosecutor for the respondent-State. Perused the record.

3. The petitioner is Accused No.1 and the allegation against this petitioner is that he along with Accused No.2 caused injuries to the victim on 08.08.2021. Since this petitioner and Accused No.2 beat the deceased namely Makthala Narsimhulu who died after two days, the case is registered under Section 304-II of IPC for causing death without there being any intention.

4. Learned counsel for the petitioner submits that the investigation is completed and charge sheet is already filed.

5. On perusal of the remand report, the reason for altercation is that some branches which were cut, fell in front of the house of Accused, for which reason, the deceased was abused in the name of caste. However, since the investigation is complete, charge sheet is already filed and also for the reason of there not being any other criminal antecedents against this petitioner, the prayer for regular bail can be considered.

6. Accordingly, the Criminal Petition is allowed and the petitioner/Accused No.1 is granted bail subject to the following conditions:

i) The petitioner/Accused No.1 is directed to be released on bail on his executing personal bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties each for a like sum, to the satisfaction of Principal Judicial First Class Magistrate at Shadnagar.

ii) After release on bail, the petitioner/Accused No.1 shall appear before the trial Court on every date of hearing without fail.

iii) The petitioner/Accused No.1 shall abide by the other conditions stipulated in Section 437(3) of Cr.P.C.

Miscellaneous applications, pending if any, shall stand closed.

K.SURENDER, J

Date: 26.10.2022
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