

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

**TUESDAY, THE FIFTEENTH DAY OF NOVEMBER
TWO THOUSAND AND TWENTY TWO**

PRESENT

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION NO: 9821 OF 2022

Between:

Naveen Adepu, S/o. Sarangapani, Age 31 years, Occ Doctor, R/ o. Q. No. B-19,
Vidhya Nagar, Godavarikhani Village, Ramagundam Mandal Peddapalli District

...Petitioner/Accused

AND

The state of Telangana, through S.H.O., P.S. Bhupalpally, Jayashankar
Bhupalpally District, rep. by its Public Prosecutor, High Court at Hyderabad.

...Respondent

Petition under Section 482 of Cr.P.C praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to grant anticipatory bail to the petitioner/ Accused, by directing the S.H.O., Bhupalpally, Jayashankar Bhupalpally District.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri K. VENUMADHAV ,Advocate for the Petitioners and the Additional Public Prosecutor for the State of Telangana on behalf of the Respondent

The Court made the following: ORDER

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION No.9821 OF 2022****ORDER:**

This Criminal Petition is filed under Section 438 of the Code of Criminal Procedure, 1973 seeking bail to the petitioner who is arrayed as sole Accused in the event of his arrest in Crime No. 272 of 2022 on the file of Bhupalpally Police Station, Jayashankar Bhupalpally District registered for the offence punishable under Section 174 of Cr.P.C.

2. Heard learned counsel for petitioner/Accused and learned Additional Public Prosecutor for respondent-State. Perused the record.

3. According to the complaint, this petitioner who is a doctor gave an injection to his wife, who is the sister of defacto complainant. Thereafter, there was a reaction for which reason, she was taken to the hospital and she died while undergoing treatment.

4. Learned counsel for the petitioner submits that there is an apprehension of arrest on the allegation of commission of offences punishable under Section 304-B of IPC.

5. On the other hand, learned Public Prosecutor submits that as on date there is no material available with the concerned police and they are still investigating the case. The Section of law has not been altered yet.

6. It is a case of doctor giving treatment to a person on the basis of his knowledge and diagnosis and the offence under Section 304-B could not be attracted. For the said reason, the apprehension of the petitioner is not tenable.

7. Accordingly, the Criminal Petition is disposed of. In the event of any changed circumstances during the course of investigation, the petitioner is at liberty to move for anticipatory bail.

Miscellaneous applications, if any, pending shall stand closed.

//TRUE COPY//

Sd/- G. SIREESHA
ASSISTANT REGISTRAR
SECTION OFFICER

To,

1. The Executive Magistrate/Tahsildar Bhupalapally.
2. The Station House Officer, Bhupalapally Police Station, Jayashankar Bhupalapally District.
3. Two CCs to the Public Prosecutor, High Court for the State of Telangana at Hyderabad.(OUT)
4. One CC to SRI. K VENUMADHAV Advocate [OPUC]
5. Two CD Copies.

KAM

HIGH COURT

KSJ

DATED:15/11/2002



ORDER

CRLP.No.9821 of 2022

DISPOSING THE CRIMINAL PETITION

(8)

PM
3/1/23