

THE HON'BLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No. 6931 of 2023

ORDER:

This Criminal Petition is filed under Section 438 of Cr.P.C. by the petitioner/Accused seeking anticipatory bail in the event of his arrest in connection with Crime.No.126 of 2023 on the file of Thorrur Police Station, Mahabubabad District, registered for the offence under Sections 302-part II and 337 of IPC.

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

3. The complainant gave statement to the Police that on 16.05.2023, while she was going along with her husband and daughter on a motorcycle and reached Samudrala Kotaiah at Nancharimadur corner, an orange colour car bearing No.TS-26-A-0808 at about 16:30 hours came in opposite direction in a rash and negligent manner and hit them, due to which they fell down on the road and the car ran over them and turned turtle after 15 yards and fell in a canal. She came to know that the accused was in a drunken condition while driving.

Her husband died due to multiple injuries and she and her daughter were taking treatment.

4. Learned counsel for the petitioner would submit that the petitioner is aged about 63 years and it is a case of accident punishable under Section 304-A of IPC and the Police have falsely implicated the petitioner and cited Section 304-part II of IPC.

5. As seen from the complaint, the petitioner while driving his car has injured the deceased. Even according to the complaint, the petitioner was in a drunken condition.

6. Keeping in view the age of the petitioner and it was an accident, this Court deems it appropriate to grant relief of anticipatory bail subject to the following conditions:-

- 1) The petitioner/Accused is directed to surrender before the Station House Officer, Thorrur Police Station, Mahbubabad District on 07.08.2023. Upon such surrender, the said Station House Officer shall release the petitioner/Accused on bail, on his executing personal bond for a sum of Rs.25,000/- (Rupees Twenty five Thousand only) with two sureties for a like sum each to his satisfaction.

2) On such release, the petitioner/Accused shall appear before the concerned police every day from 07.08.2023 till 21.08.2023 at 10.00 a.m. and thereafter, as and when required for the purpose of investigation.

3) The petitioners/Accused shall abide by the other conditions stipulated in Section 438(2) of Cr.P.C and shall co-operate with the Investigating Officer in investigating the case.

7. Accordingly, the Criminal Petition is allowed. Miscellaneous applications, if any pending in this criminal petition, shall stand closed.

Date : 03.08.2023
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K.SURENDER, J

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Dt.03.08.2022

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