THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION NO.619 OF 2024

ORDER:

1. This Criminal Petition is filed under Sections 437 and 439 of Code of Criminal Procedure, 1973 (for short "Cr.P.C") seeking regular bail to the petitioner/accused in Crime No.258 of 2023, on the file of the PS, Boinpally, Rajanna Siricilla, registered for the offences punishable under Sections 304-II, 337 of the IPC and Sections 181, 196 of the MV Act.

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

3. The Boinpally police registered the present crime on 10.12.2023 against this petitioner on the ground that he was involved in driving his vehicle in a negligent manner resulting in an accident with a two wheeler and as a result of the accident, the two wheeler rider died.

4. Learned counsel for the petitioner would submit that at most the case is one under Section 304A of IPC for accidental death, however, the police have falsely invoked the provision under Section 304-II of IPC.

5. However, keeping in view that even according to the prosecution, it is a case of accidental death, without going into the facts that whether Section 304-II of IPC or 304A of IPC is attracted against the accused, bail can be granted at this stage since major part of the investigation is complete. Hence, the petitioner is granted the relief of regular bail subject to following conditions:

i) The petitioner/accused shall execute 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 Judicial Magistrate of First Class at Vemulawada.

ii) The petitioner/accused after release shall appear before the concerned Station House Officer at 10:00 a.m. on every Monday for a period of four (04) weeks and thereafter, as and when required for the purpose of investigation.

iii) The petitioner/accused shall abide by the other conditions stipulated in Section 437(3) of Cr.P.C.

6. Accordingly, this Criminal Petition is allowed. Miscellaneous applications, pending if any, shall stand closed.

K.SURENDER, J

Date: 22.01.2024
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THE HON'BLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION NO.619 OF 2024

Dt.22.01.2024

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