

THE HONOURABLE DR.JUSTICE G.RADHA RANI**CRIMINAL PETITION Nos.1706, 1734 and 1738 OF 2024****COMMON ORDER:**

Crl.P.No.1706 of 2024 is filed by the Accused No.4, Crl.P.No.1734 of 2024 is filed by the Accused No.3 and Crl.P.No.1738 of 2024 is filed by the Accused No.1 under Sections 437 and 439 of Code of Criminal Procedure, 1973 (for short “Cr.P.C”), respectively, seeking regular bail in Crime No.88 of 2024 on the file of the Station House Officer, Jubilee Hills Police Station, registered for the offences punishable under Sections 304-II, 337 of Indian Penal Code and Section 187 of Motor Vehicles Act.

2. The case of the prosecution in brief was that accused No.1, who was in drunken state, drove a black colour Verna car bearing No.TS-08-JN-6663 and when he reached near Swadeshi ‘Y’ Junction, Road No.36, Jubilee Hills, Hyderabad, hit a two wheeler and caused death of the brother of the *de facto* complainant, aged 29 years, who was working as a bouncer in Snort Pub in Nova Hotel at Madhapur, while he was returning from his duty with his friend as pillion rider. Due to the said accident, the brother of the *de facto* complainant died on the spot and the pillion rider sustained grievous injuries. The accused

Nos.2 to 5 were travelling with accused No.1 and they encouraged A1 to speed up the vehicle to enjoy the drive, due to which the accident occurred, resulting in death of the deceased.

3. Heard learned counsel for the petitioners/Accused Nos.1, 3 & 4 and the learned Additional Public Prosecutor for the respondent-State.

4. (a) Learned counsel for the petitioner/Accused No.1 submitted that A1 was arrested on 24.01.2024 and since then he was lodged in prison. He got a job opportunity in Amazon Company and there was every chance of losing his employment due to his incarceration, if not released on bail and prayed for grant of bail to the petitioner/Accused No.1.

(b). Learned counsel for the petitioners/Accused Nos.3 and 4 submitted that the petitioners were students, studying final year B-Tech (Computer Science) and their examinations were due in the Month of February, 2024, the petitioners were in custody since 25.01.2024 and their studies were being affected due to their arrest. They filed copies of the Hall Tickets of the petitioners/A3 and A4.

5. Learned Additional Public Prosecutor opposed grant of bail to the petitioners.

6. Perused the record.

7. Considering that the police had charged the petitioners with a grave offence like culpable homicide not amounting to murder and at this stage it could not be said with certainty whether the act could be the result of a rash or negligent act or amounting to culpable homicide not amounting to murder and that the petitioners/Accused Nos.3 and 4, who were friends of A1, travelling in the same car had encouraged A1 to drive with speed, with a knowledge that his rash driving would result in the death of the deceased, it is considered fit to enlarge the petitioners on bail on certain conditions.

8. Accordingly, these Criminal Petitions are allowed and the petitioners/Accused Nos.1, 3 & 4 shall be released on regular bail subject to the following conditions:

i) The petitioners/Accused Nos.1, 3 & 4 shall execute a personal bond for a sum of Rs.25,000/- (Rupees Twenty Five thousand only) each with two sureties for a like sum each to the satisfaction of the learned XVII Additional Chief

Metropolitan Magistrate Court, Nampally, Hyderabad.

ii) The petitioners/Accused Nos.1, 3 & 4 shall abide by the conditions stipulated in Section 437(3) of Cr.P.C.

Miscellaneous applications, pending if any, shall stand closed.

Dr. G.RADHA RANI, J

Date: 16.02.2024
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Dated 16.02.2024

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