

THE HONOURABLE SRI JUSTICE N. TUKARAMJI

CRIMINAL PETITION NO.6823 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.
2. The petitioner is accused No.16 in Crime No.252 of 2024 of Manakondur Police Station, Karimnagar Commissionerate, Karimnagar District, within the territorial jurisdiction of the Judicial Magistrate of First Class (Excise) at Karimnagar.
3. I have heard Sri T. Niranjan Reddy, learned Senior counsel for the petitioner and Sri Khaja A. Vizarath Ali, learned Assistant Public Prosecutor for the respondent-State and perused the record.
4. The prosecution case against the petitioner in brief is that in criminal conspiracy the accused caused

murder and the petitioner after the occurrence had sent money of Rs.5,000/- to accused No.1 through Google Pay and later provided shelter to the accused in an apartment at Madhapur, Hyderabad. Thus, committed offences under Sections 147, 148, 324, 364, 302, 506 r/w 149 and 120-B of Indian Penal Code.

5. Learned counsel for the petitioner contended that even as per the allegations of the prosecution, the petitioner was neither present at the scene nor aided in any manner in the commission of offences. Though he is innocent, at the best by the accusations, it has to be said that the petitioner had advanced money and provided shelter for the other accused, which may fall within the scope of Sections 201 and 212 of IPC, punishable under seven (07) years of imprisonment. However, the petitioner is in judicial custody since 04.06.2024 and no investigation is pending against him. That apart, the petitioner is ready to assist the

investigation and abide by any condition that may be imposed. Hence, prayed for grant of bail.

6. Learned Assistant Public Prosecutor opposed bail application and would submit that as per the remand case diary, the petitioner's role in providing money and shelter is clear and it is part of conspiracy. However, submits that thirteen (13) witnesses were examined.

7. I have considered the submissions of learned counsel and perused the materials placed on record.

8. As per the prosecution case, the petitioner was not present at the time of actual occurrence and the confessional statements are pointing that after the occurrence, at the request of accused No.1, the petitioner had transferred the amount and thereafter provided shelter. Having regard to these aspects, the depth of allegations, the stage of investigation reported by the prosecution and the remand period undergone

by the petitioner, this Court is inclined to positively consider the prayer of the petitioner for grant of bail.

9. Accordingly, the Criminal Petition is allowed on the following conditions:

- i) The petitioner/accused No.16 shall be released on bail, on executing a self 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 (Excise) at Karimnagar.
- ii) The petitioner shall cooperate with the investigation and shall appear before the Station House Officer on 2nd and 4th Tuesday till filing of charge sheet.
- iii) Further, the petitioner/Accused is directed to make himself available for the judicial process on every adjournment, except for the leave of the Court.
- iv) The petitioner shall not interfere or intimidate the prosecution witnesses nor shall attempt to tamper with the evidence.

- v) The petitioner shall not indulge in any illegal activity. If the petitioner commits any breach of the above conditions, the investigating agency/prosecution shall be at liberty to initiate proceedings for cancellation of bail.

Miscellaneous applications, pending if any, shall stand closed.

N.TUKARAMJI, J

Date: 01.07.2024

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Dt.01.07.2024

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