

HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD



**FRIDAY, THE TWENTY NINTH DAY OF MARCH
TWO THOUSAND AND NINETEEN**

:PRESENT:

**THE HONOURABLE DR. JUSTICE SHAMEEM AKTHER
CRIMINAL PETITION NO: 1591 OF 2019**

Between:

1. Mohd Wajeed, S/o. Habeeb Khan,
2. Samad Khan, S/o. Mahaboob Khan,
3. Mohd Rafeeq, S/o. Mohd. Rasheed,
4. Rukmala Srinu, S/o. Rajaiah,

Petitioners/Accused Nos. 1 to 4

AND

State of Telangana, through Nirmal Rural Police Station, Nirmal District, Rep. by the
Public Prosecutor for the State of Telangana at Hyderabad.

Respondent/Complainant

Petition under Section 437 & 439 of Cr.P.C, praying that in the circumstances stated in the affidavit filed in support of the Criminal Petition, the High Court may be pleased to enlarge the petitioners on bail in Crime No. 10/2019, dt. 20-01-2019 U/s. 379, 382, 409, 120B, 307 r/w 34 IPC and Sec 3 of PDPP Act, Sec. 20(1)(c), 29 TS Forest Act on the file of the Nirmal Rural Police Station, Nirmal

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof upon hearing the arguments of R MANGULAL Advocate for the Petitioners and the PUBLIC PROSECUTOR for the Respondent, the Court made the following.

ORDER:

This Criminal Petition, under Section 439 of the Code of Criminal Procedure, 1973, is filed by the petitioners/A.1 to A.4 for grant of bail in Crime No.10 of 2019 of Nirmal Rural Police Station, Nirmal District, registered for the offences punishable under Sections 379, 382, 409, 120B, 307 read with 34 of IPC, Section 20(i)(c) & 29 of the Telangana Forest Act, 1967, and Section 3 of the Prevention of Damage to Public Property Act, 1984.

2. Heard the learned counsel for the petitioners/A.1 to A.4, the learned Additional Public Prosecutor representing the respondent-State and perused the record.

3. In the course of submissions, it is brought to the notice of this Court that these petitioners/A.1 to A.4 were remanded to judicial custody on 20.01.2019. The quantity of teakwood seized from the possession of the accused in this case is worth Rs.16,00,000/-. Though the offence under Section 307 of IPC is alleged, no copy of medical record is placed before this Court to establish with regard to suffering of injuries by any of the police officials etc. It is also brought to the notice of this Court that there are no other similar criminal cases pending against the petitioners/A.1 to A.4. It appears from the record that most of the witnesses are police officials and most part of the investigation is completed. Under these circumstances, the petitioners/A.1 to A.4 can be enlarged on bail under Section 439 of Cr.P.C.

4. Accordingly, the petitioners/A.1 to A.4 are ordered to be released on bail, on each of them executing a personal bond for a sum of Rs.25,000/- (Rupees twenty five thousand only) with two sureties in a like sum each to the satisfaction of the learned Additional Judicial Magistrate of First Class, Nirmal. On such release, the petitioners/A.1 to A.4 shall report before the Station House Officer, Nirmal Rural Police Station, Nirmal District, on every Sunday between 09:00 AM and 11:00 AM, till filing of the charge-sheet.

5. The Criminal Petition is, accordingly, allowed.

Miscellaneous petitions, if any, pending in this Criminal Petition, shall stand closed.

Sd/- B.SATYA VATHI
ASSISTANT REGISTRAR

//TRUE COPY//

For ASSISTANT REGISTRAR

To,

1. The Special Judge for Trial of cases under SCs/STs(POA) Act-cum-V Additional District and Sessions Judge.
2. The Additional Judicial First Class Magistrate at Nirmal.
3. The Superintendent Sub Jail Nirmal.
4. The Station House Officer, Nirmal Rural Police Station, Nirmal District
5. One CC to SRI. R MANGULAL Advocate [OPUC]
6. Two CCs to PUBLIC PROSECUTOR, High Court for the State of Telangana at Hyderabad [OPUC]
7. One Spare Copy

GR

HIGH COURT

DR, SAJ

DATED:29/03/2019

ORDER

CRLP.No.1591 of 2019

BAIL



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