

IN THE HIGH COURT FOR THE STATE OF TELANGANA
FRIDAY ,THE NINETEENTH DAY OF NOVEMBER TWO THOUSAND AND
TWENTY ONE

:PRESENT:

THE HONOURABLE DR. JUSTICE SHAMEEM AKTHER
AND

THE HONOURABLE SRI JUSTICE N.TUKARAMJI

IA No. 1 OF 2021

IN

CRLA NO: 447 OF 2020

Between:

Mukesh Kumar Yadav @ Mukesh @ Munna, S/O Munnulal Yadav

...Petitioner/Appellant

*(Appellant in CRLA 447 OF 2020 on the file of High Court)

AND

State of Telangana, Rep. by its Public Prosecutor, High Court at Hyderabad.

...Respondent(s)

(Respondents in-do-)

Counsel for the Petitioner : SRI J RAMMOHAN RAO

Counsel for the Respondent :THE ADDITIONAL PUBLIC PROSECUTOR

Petition under Section 389 (1) R/w 482 of Cr.P.C praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to enlarge the petitioner / Appellant in SC.No.135 of 2013 on the X Additional Metropolitan Sessions Judge-CUM-Special Sessions Judge for Trial of Atrocities Against Women-I, Hyderabad dated 22-I-2020 on interim bail in the interest of justice Pending disposal of CRLA No. 447 of 2020, on the file of the High Court.

The court while directing issue of notice to the Respondents herein to show cause as to why this application should not be complied with, made the following order.(The receipt of this order will be deemed to be the receipt of notice in the case).

ORDER

This application is filed under Section 389(1) Cr.P.C. by the petitioner/accused seeking to grant interim bail to perform the death ceremony of his wife, by suspending the sentence of imprisonment imposed against him *vide* Judgment, dated 22.01.2020, passed in S.C.No.135 of 2013 by the X Additional Metropolitan Sessions Judge-cum-Special Sessions Judge for Trial of Atrocities against Women-I, Hyderabad.

Heard the learned counsel for the petitioner/ accused, the learned Additional Public Prosecutor appearing for the respondent-State and perused the record.

Learned counsel for the petitioner/accused would submit that the wife of the petitioner/accused died on 14.11.2021 and the petitioner/accused has to perform the death ceremony of his wife. The petitioner/accused has filed a photograph, which depicts the death of the wife of the petitioner/accused.

The said submission has not been disputed by the learned Additional Public Prosecutor.

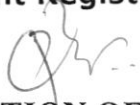
Under these circumstances, the petitioner/accused is entitled for interim suspension of sentence of imprisonment imposed against him *vide* Judgment, dated 22.01.2020, passed in S.C.No.135 of 2013 by the X Additional Metropolitan Sessions Judge-cum-Special Sessions Judge for Trial of Atrocities against Women-I, Hyderabad, for a period of two(2) weeks commencing from 20.11.2021 to 04.12.2021, to perform the death ceremony of his wife, on the following terms and conditions:

- i) The petitioner/accused shall execute a 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 Superintendent, Central Prison, Chanchalguda, Hyderabad.
- ii) During the period of interim bail, the petitioner/accused shall not indulge in any criminal activity.
- iii) On completion of the said period, the petitioner/accused is directed to surrender before the same Superintendent of Central Prison, Chanchalguda, Hyderabad, on 04.12.2021 by 5:00 PM.

Accordingly, this application is ordered.

SD/- K. SHYLESI
Assistant Registrar

//TRUE COPY//


SECTION OFFICER

To,

1. The X Additional Metropolitan Sessions Judge-CUM-Special Sessions Judge for Trial of Atrocities Against Women-I, Hyderabad
2. The Superintendent, Central Prison, Chanchalguda, Hyderabad
3. One CC to SRI. J RAMMOHAN RAO Advocate [OPUC]
4. Two CC's to Public Prosecutor, High Court for the State of Telangana (OUT)
5. One spare copy

Avs

HIGH COURT

DRSAJ & NTRJ

DATED:19/11/2021

ORDER

I.A. NO. 1 OF 2021

IN

CRLA.No.447 of 2020



BAIL