

HONOURABLE Dr. JUSTICE B.SIVA SANKARA RAO

Crl.P.No.8867 of 2015

ORDER :

This petition is filed under Section 482 of the Code of Criminal Procedure (for short, 'the CrPC') by the Petitioners/A.1 to A.7 in Cr.No.179 of 2015 on the file of the Station House Officer, Hussaini Alam Police Station, Hyderabad registered for the offences punishable under Sections 326 and 506 read with 34 of I.P.C. on the complaint of 2nd respondent-defacto-complainant, seeking to quash all the proceedings in the above crime.

2. Heard the learned counsel for the petitioners so also the learned Public Prosecutor representing State-1st respondent before admission and before notice to the 2nd respondent-defacto-complainant and perused the material on record.

3. As the material falls short for this Court to admit the petition to quash the proceedings in F.I.R.No.179 of 2015 on the file of the Station House Officer, Hussaini Alam Police Station, Hyderabad, but for there are civil disputes between the parties including eviction case from the material enclosed as there is accusation. Further, the fact remains that the injured by name Ramesh Yadav was treated in Yasoda hospital as per O.P.No.56300 and discharged and the very report at page No.12 of this bundle shows he sustained head injury with blood clotted and 15 stitches were applied and the O.P. ticket shown by the learned counsel for the accused shows he was treated only as an out-patient. The leaned Public Prosecutor submits that police are altering the case to Section 307 of IPC from Section 326 of I.P.C. Even taken consideration of the same as the injured was already discharged and there are civil disputes between the parties long pending and from the manner of occurrence even depicted from the very report, it is a fit case for concession of bail to the petitioners, that too, A.6 aged 90 years and A.7(lady) apart from A.1, an advocate are aged about 62 years.

4. Accordingly, the Criminal Petition is disposed of by giving liberty to

the petitioners to surrender before the learned Magistrate concerned and with an affidavit of surrender, move an application for regular bail before the learned Sessions Judge with a notice to learned Public Prosecutor concerned, in such an event, after hearing, the learned Sessions Judge, to grant bail on the same day with necessary conditions. Consequently, miscellaneous applications, if any, pending in this Petition shall stand closed.

Dr. B. SIVA SANKARA RAO, J

Date: 04.09.2015

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