

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

CRIMINAL PETITION No.696 of 2015

ORDER:

The petitioner, who is A-1 filed the present application under Section 438 Cr.P.C. seeking release in the event of his arrest in Crime No.1 of 2015 of Ponnur Town Police Station, Guntur District, which was registered for the offences punishable under Sections 307 and 323 r/w.34 IPC.

The case of the prosecution is as under:

On 31-12-2014 while the informant was returning to Bapatla after celebrating new year eve, the petitioner along with A-2 to A-5 made an attempt to do away with his life. In the process, the petitioner is alleged to have beat the informant with stick on his head, while the other accused beat the informant with hands and legs. Basing on these allegations, the above case came to be registered.

Heard learned counsel for the petitioner and learned Public Prosecutor representing the State.

Learned counsel for the petitioner submits that as there are no injuries sustained by the informant, the petitioner is entitled for the relief sought for.

Learned Public Prosecutor opposed the same.

A perusal of the material would show that since A-2 to A-5 beat the petitioner with hands and legs for which there are no injuries, the trial Court granted anticipatory bail to them. In sofaras the petitioner is concerned, the averments in the report clearly discloses that the petitioner herein beat the informant with stick on his head. The O.P. slip placed before the Court also refers to an injury on the head and bleeding through ear.

Having regard to the said circumstances, I am not inclined to grant anticipatory bail to the petitioner. However, the petitioner, if so, advised shall surrender before the concerned Court and move an application for grant of bail after giving notice to the Public Prosecutor, in which event, the Court concerned shall deal with the same in accordance with law at the earliest. Accordingly, the Criminal Petition is disposed of.

As a sequel thereto, Miscellaneous Petitions, if any, pending shall stand closed.

JUSTICE C. PRAVEEN KUMAR

10-02-2015
nvl