

HON'BLE SRI JUSTICE M.S.K. JAISWAL

Criminal Petition No. 6200 of 2015

ORDER

This Criminal Petition under Section 438 of the Code of Criminal Procedure, 1973, is filed by the petitioners/A2 and A3 seeking anticipatory bail to them in connection with Cr.No.58 of 2015 of Gollapalem Police Station, East Godavari District, registered for the offences under Sections 307 and 324 read with Section 34 IPC.

2. Heard the learned counsel for the petitioners and the learned Additional Public Prosecutor representing the State.

3. It is alleged that the non-petitioner/A1 and the petitioners/A2 and A3 have assaulted three persons and caused injuries. It is stated that when there were disputes between A2 and the de facto complainant, A1 intervened the matter and in a quarrel took place between them, A1 is alleged to have attacked with a knife and hacked the de facto complainant and also abused him. It is also alleged that the petitioners/A2 and A3 also attacked the other members of the party and beat them with sticks and caused injuries.

4. Learned counsel for the petitioners submitted that as there were disputes between the two rival groups, the petitioners have falsely implicated in this case.

5. It is stated that the non-petitioner/A1 has been arrested, remanded and released on bail and the material part of the investigation is completed. However, having regard to the nature

of allegations and the fact that the allegation under Section 307 IPC is specifically made against A1, whereas A2 and A3 are alleged to have committed the offence under Section 324 IPC, I deem it appropriate to dispose of the criminal petition with the following directions;

The petitioners/A2 and A3 are directed to surrender before the learned III Additional Judicial First Class Magistrate, Kakinada and move an application for bail. On filing such an application, the learned Magistrate shall dispose of the same on the same day subject to certain reasonable conditions as it deem fit by the learned Magistrate.

M.S.K. JAISWAL, J

8th July, 2015

sj