

THE HONOURABLE Dr.JUSTICE B.SIVA SANKARA RAO

CRIMINAL PETITION No.15780 of 2014

ORDER:

This petition is filed under Section 482 of the Code of Criminal Procedure (for short, 'the CrPC') by the Petitioner/A.1 in Cr.No.172 of 2014 for the offences punishable under Sections 307 and 324 read with 34 of I.P.C. on the file of the Allagadda Rural Police Station, Kurnool District, to quash the proceedings in said crime.

2. Heard the learned counsel for the petitioner/A.1 so also the learned Public Prosecutor representing State-1st respondent before admission and perused the material on record.

3. The material falls short for this Court to admit the application under Section 482 of Cr.P.C. to quash proceedings in Cr.No.172 of 2014 from prima facie accusation of the reading of report though it is the main contention of the petitioner/A.1 that the so called occurrence is impossible to believe as he was at the police station as defacto complainant in Cr.No.109 of 2014 at about 7.30 hours. On reading of the First Information Report in Cr.No.169 of 2014 of Allagadda Police Station which is at a distance of about 25 Kms to Ahobilam village where the occurrence took place.

4. Having regard to the above factual matrix and the injured, as stated already discharged from hospital as sustained blunt injury with the so called axe on parietal region of his head, the facts admit entitlement to regular bail to the petitioner/A.1.

5. Accordingly, Criminal Petition is disposed of by giving liberty to the petitioner/A.1 to surrender before the learned Magistrate concerned and move an application with an affidavit of surrender before the learned Sessions Judge for regular bail and in such an event, the learned Sessions Judge shall grant bail preferably on the same day or at least next day imposing any necessary conditions as any detention beyond 48 hours may cause likelihood of his losing job as he is an employee in temple.

6. Consequently, miscellaneous petitions, if any, pending in this Criminal

Petition shall stand closed.

Date: 19.06.2015
Vvr

Dr. B.SIVA SANKARA RAO J,