

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

CRIMINAL PETITION NO.12282 OF 2015

ORDER:

Petitioner, who is A3 in Cr.No.122 of 2013 of Dharpally Police Station, Nizamabad, corresponding to Special Sessions Case No.10 of 2014, registered for the offences punishable under Sections 323, 506 r/w 34 IPC and 3 (i) (x) of SCs, STS (POA) Act, 1989, filed this petition under Section 438 of the Code of Criminal Procedure, 1973, seeking anticipatory bail.

2. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the State and perused the material on record.

3. The petitioner is A3, non petitioners-A1, A2 and A4 were tried in the same crime by the Special Sessions Judge and after full fledged trial, vide judgment, dated 14-07-2015, A1, A2 and A4 were acquitted. During the course when the trial was going on, the present petitioner-A3 was shown as absconding. It is stated that he was working abroad at the relevant point of time.

4. Coming to the allegations, it is alleged that there are certain financial transactions in between the de facto complainant and the accused. Due to which, the accused alleged to have went to the house of the de facto complainant, beat her with hands and kicked her and dragged her from out of the house. Keeping in view of the above, I am inclined to grant anticipatory bail to the petitioner-A3 subject to certain conditions.

5. It is brought to the notice of this Court that arrest warrant is pending against the petitioner herein. In view of the same, the petitioner herein shall file a petition before the Special Sessions Judge for re-calling warrant and on such filing, the same shall be considered.

6. Accordingly, the Criminal Petition is allowed. The petitioner-A3 is directed to appear before the Special Court concerned within a period of fifteen

(15) days from today, and file a petition to recall NBW and the same shall be allowed. He shall be enlarged on bail on his executing a personal bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties of the like sum each to the satisfaction of the Special Court concerned.

M.S.K. JAISWAL, J.

DATED: 30-11-2015

Hsd