

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

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CRIMINAL PETITION No.1920 OF 2016
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ORDER:

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

2. The present Criminal Petition came to be filed by the petitioner/A.5 under Sections 437 and 439 of the Code of Criminal Procedure, 1973 seeking enlargement on bail in Crime No.18 of 2016 of I Town Police Station, Nellore, registered for the offences punishable under Sections 143, 145, 147, 148, 151, 152, 153, 353 and 452 read with 149 of the Indian Penal Code, 1860 and Section 3(1)(a) of the Prevention of Damage to Public Property Act, 1984.

3. The averments in the report are to the effect that on 30.01.2016 at about 10.00 P.M., people belonging to one particular community were trying to get together. At that point of time, local police officers called for the security force to obstruct untoward incidents. On receipt of information, Superintendent of Police, Nellore District, came in a Government vehicle along with security guards and talked with the elders and while they were moving, some unsocial elements including the petitioner gathered and started throwing stones on the vehicle of the Superintendent of Police, resulting in causing damage to the vehicle. The averments in the report further show that the persons named in the FIR tried to attack the Superintendent of Police and also beat the informant, who was on duty. In spite of the lathi charge, the mob did not disburse. Basing on these allegations, the present case came to be registered.

4. Learned counsel for the petitioner submits that the petitioner is innocent of the offences alleged and a false case has been foisted against the petitioner.

5. In view of the representation by the learned counsel for the petitioner that son of the petitioner is getting married on 08.03.2016, a direction was given to the police not to arrest the petitioner till 10.03.2016.

6. Since the name of the petitioner is shown in the First Information Report as A.5 and having regard to the nature of allegations made, wherein the petitioner along with other accused attacked the vehicle of the Superintendent of Police and also caused damage to the vehicle, the request of the petitioner cannot be considered.

7. Accordingly, the Criminal Petition is dismissed. However, the petitioner, if so advised, shall surrender before appropriate Court and move an application for bail after giving prior notice to the Public Prosecutor, in which event, the same shall be dealt with in accordance with law at the earliest.

JUSTICE C. PRAVEEN KUMAR

Date:10.03.2016

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