

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

CRIMINAL PETITION No.14157 OF 2016

ORDER:

The petitioners, who are A.2 and A.3, preferred the present Criminal Petition under Section 438 of the Code of Criminal Procedure, 1973, seeking release in the event of their arrest in connection with Crime No.131 of 2016 of Pamidi Police Station, Anantapuramu District, registered for the offences punishable under Sections 307 read with 34 IPC and Section 3(1)(S) of SC/ST (POA) Act.

2. The case of the prosecution is that there is a civil dispute between the informant and A.1 with respect to a land, which is pending in Civil Court. While so, on 05.09.2016 when the informant has been at his work shop, he observed A.1, his brother Bashir (A.2) and another showing his land to some other persons. When the informant objected to it, A.1 stabbed him on his left shoulder and ribs with a knife threatening to kill him. He also abused the informant by his caste. When the neighbours intervened, he left the scene. Basing on these allegations, the present crime came to be registered.

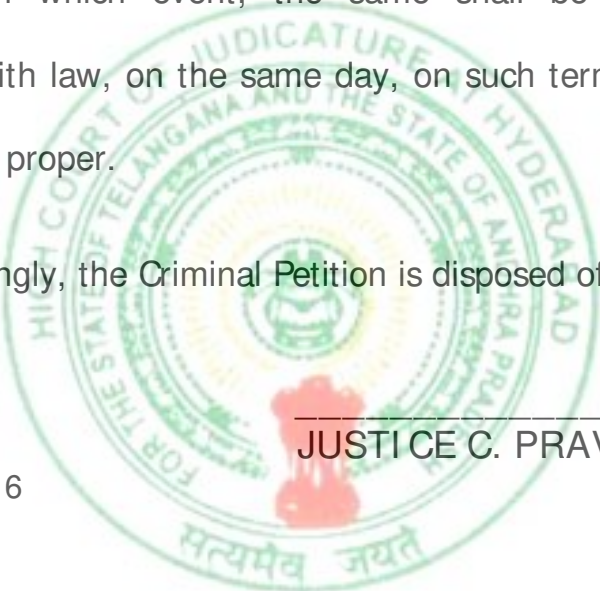
3. Learned counsel for the petitioners submits that the allegations in the report are all false and the petitioners were falsely implicated in this case.

4. Learned Additional Public Prosecutor opposed the petition.

5. As seen from the record, insofar as the 1st petitioner is concerned, no role is attributed to him except referring to his presence at the scene of offence. It is also to be noted that a counter case is filed vide Crime No.132 of 2016 in the very same police station at the instance of A.1.

6. Having regard to the circumstances of the case, the petitioners shall surrender before the concerned court and move an application for bail after giving prior notice to the learned Public Prosecutor, in which event, the same shall be considered, in accordance with law, on the same day, on such terms as the Court deems fit and proper.

7. Accordingly, the Criminal Petition is disposed of.



JUSTICE C. PRAVEEN KUMAR

Date:30.09.2016
INL