HON'BLE SRI JUSTICE SURESH KUMAR KAIT

Crl.P. No. 15654 of 2016

DATE: 14.11.2016

Between:

Godlaveeti Subhadra
and two others .. Petitioners/
A4 to A6

And

The State of Andhra Pradesh .. Respondent

O R D E R:-

This Criminal Petition is filed under Section 438 Cr.P.C. seeking to grant anticipatory bail to the petitioners in the event of their arrest in connection with Crime No.65 of 2016 of B.Mattam Police Station, Kadapa District registered for the offences punishable under Sections 290, 294, 143, 147 and 353 read with 149 IPC.

The case of the prosecution is that on 06.09.2016 at 11:00 p.m., one constable of B.Mattam Police Station, went to Chowdarivaripalli village and noticed some persons parking two tractors on the road and obstructing flow of traffic. The petitioners, by conducting recording dance programme, were dancing using mikes. When the police officials enquired with them whether they have got any permission for conducting such programmes, they revealed that they obtained permission from Utsava Committee and got down from the tractors. One Annapureddi Bhaskar Reddy stated that they used to celebrate the festival once in a year and allegedly questioned the police officials not to obstruct the dance programme and also instigated the public saying that if they stopped the programme they would see their end. Also, the petitioners along with other associates gathered as mob, obstructed the police from performing their official duties, attacked them and ran away from the scene. Thereafter,

L.Narayana Reddy, Member of Utsava Committee and Ex-MPTC, came to the scene and admonished the above persons who obstructed the police officials in performing their duties. On 07.09.2016 at 02:30 a.m., all the accused persons by the police officials were brought to the Police Station and made a special report. Accordingly, on the complaint made by the Constable, the alleged crime was registered against the petitioners. The petitioners were creating nuisance and obstructing the police officers from discharging their official duties. The petitioners were celebrating the festival without the knowledge and permission of the police which the petitioners were not supposed to do.

Heard Sri N.Aswartha Narayana, learned counsel for the petitioners and perused the material placed on record.

The aspect as to why the petitioners had not taken permission and have taken the law into their hands by obstructing the police officials from performing their legitimate duties can be established only in custodial interrogation.

Therefore, I find no merit in this Criminal Petition, and the same is, accordingly dismissed.

As a sequel, Miscellaneous Petitions, if any pending, shall stand disposed of as infructuous.

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SURESH KUMAR KAIT, J

14.11.2016
bcj