

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

CRIMINAL PETITION No.1345 OF 2016

ORDER:

The petitioner, who is the sole accused in Crime No.18 of 2016 of Mannur Police Station, Y.S.R. District, filed this criminal petition under Section 438 of Cr.P.C., seeking release, in the event of his arrest in connection with the said crime registered for the offences punishable under Sections 323 and 353 of IPC.

The informant, who is an Assistant Executive Engineer of Roads and Buildings Section, Rajampeta, lodged a report on 29.01.2016 at about 9.30 a.m., stating on that day he along with the Work Inspector – Rasool and Gang Mazdoor – Subbarayudu went to Gondivaripalli, near Mittameedipalli for inspection of road. While the informant was conducting inspection along with Supervisors – Kannaiah and Srinivasulu, the petitioner raised the issue of quality of road and also on putting up a speed breaker on the road. He entered into an argument, pulled the collar of the complainant, pushed him down and beat him. Basing on the said allegations, the aforesaid FIR came to be registered.

Learned counsel for the petitioner submits that the allegations made in the report are all false and invented only for the purpose of this case.

On the other hand, the same is opposed by the learned Public Prosecutor stating that no reasons are

assigned as to why a false case has to be foisted against the petitioner.

Since the allegations in the report *prima-facie* constitute the offences alleged, I am not inclined to grant anticipatory bail to the petitioner. However, the petitioner is so advised, can surrender before the Court concerned and move an application for bail, after giving prior notice to the learned Public Prosecutor, in which event, the same shall be dealt with in accordance with law, on the same day or at the earliest.

Subject to the above observations, this Criminal Petition is dismissed.

JUSTICE C. PRAVEEN KUMAR

18.02.2016.
Msr

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