

THE HON' BLE SRI JUSTICE C. PRAVEEN KUMAR

CRIMINAL PETITION NO.14086 of 2016

ORDER :

The petitioner, who is A4 in Crime No.232 of 2016 of Rayachoty U/ G Police Station, YSR Kadapa District, filed the present application under Section 438 Cr.P.C. seeking release in the event of his arrest in connection with the above crime registered for the offences punishable under Sections 323, 324, 354, 506(d) read with Section 34 of IPC and Section 3(1)(vi) of SC/ STs (POA) Act, 1989.

2. The case of the prosecution is that on 04.07.2016 at 11.00 p.m., while the informant, his wife, mother-in-law and his daughter were present in their house, A1, A2, A4 and A5 approached them, abused them by touching their caste and threatened them with dire consequences, due to the act of the daughter of the informant towards A3 at earlier point of time. On the next day, when the informant was proceeding towards police station to give a complaint against the accused, on reaching Ravi's cafe at RTC Bus Stand, A3 along with other accused abused him by touching his caste, hit him with right hand on his left elbow causing bleeding injury, while other accused beat him with their hands and legs causing dumb injuries. Subsequently, he was admitted in a Government hospital. Basing on the above allegations, the present crime came to be registered.

3. Heard learned counsel for the petitioner and learned Additional Public Prosecutor appearing for the respondent-State.

4. Learned counsel for the petitioner would submit that even accepting the allegations in the report to be true, no offence is made out against the petitioner. According to him, the allegations are vague and *omnibus* in nature. The same is opposed by the learned additional public prosecutor stating that specific allegation of commission of offence is attributed against the petitioner and hence he is not entitled for any relief.

5. A perusal of the report would show that the petitioner not only abused the informant by touching his caste but also beat him along with others.

6. Having regard to the above and since the averments in the report show the involvement of the petitioner in the offences alleged, I am not inclined to grant anticipatory bail to the petitioner. But, however, the petitioner, if so advised, shall surrender before the concerned Court and move an application for grant of bail after giving prior notice to the Public Prosecutor, in which event the same shall be considered on the same day, in accordance with law.

29.09.2016
vnb

JUSTICE C. PRAVEEN KUMAR