

HON' BLE SRI JUSTICE SURESH KUMAR KAIT

CrI.P. No. 15814 of 2016

DATE: 15.11.2016

Between:

Rafi @J.Mahammed Rafik
and two others

.. Petitioners/
A2 to A4

And

The State of Andhra Pradesh

.. Respondent



ORDER:-

This Criminal Petition is filed under Section 438 Cr.P.C. seeking to grant anticipatory bail to the petitioners – A2 to A4 in connection with Crime No. 84 of 2016 of III Town Police Station, Adoni, Kurnool District, registered for the offences punishable under Sections 452, 324, 323, 506 and 307 IPC.

The learned counsel for the petitioners has submitted that A1 attacked the victim – *de facto* complainant with an iron rod, as a result, the victim sustained bleeding injury, however the petitioners have not caused any injury to the *de facto* complaint, as such, the petitioners may be released on anticipatory bail.

The fact remains that on 16.10.2016, A1 abused the victim in filthy language and threatened to kill him. Thereafter, A1 along with other accused (petitioners herein) armed with iron rod and attacked the victim and dragged him out of his shop with an intention to kill him. A1 beat him with iron rod, A2 beat on the back of the victim and the other accused beat him with hands and legs. Thus, all the three petitioners actively participated in the offence and caused bleeding injury on the head of the complainant. There cannot be any say that the role of the petitioners is different from that of A1. The petitioners also beat the victim with hands and legs.

Hence, 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.

SURESH KUMAR KAIT, J

15.11.2016

bcj

