

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

- **CRIMINAL PETITION No.12457 of 2016**

ORDER:

- The petitioners, who are A.4 and A.5 in crime No.26 of 2016 of Maganoor Police Station, Mahabubnagar District, preferred the present application under Section 438 Cr.P.C. seeking release in the event of their arrest in connection with the above crime registered for the offence punishable under Sections 307, 452 and 149 of Indian Penal Code.

The case of the prosecution is that on 16.06.2016 the informant and A.1 squabbled in connection with MGNREG scheme. On the same day, A.1 went to the house of the informant where both of them again quarreled with each other. At that time, A.1 fell on the stone and received bleeding injuries, for which the informant lodged a complaint and the same is the subject matter of crime No.23/2016 registered for the offence punishable under Sections 448, 324 and 504 IPC. Thereafter, on 19.06.2016 A.1 called the other accused, consumed toddy and at about 200 hours all the accused went to the house of informant. On seeing the accused, the wife of the informant closed the doors. But the accused broke open the door, entered into the house with sticks and beat the informant on his head causing bleeding injuries. Basing on these allegations, the above report came to be registered.

Learned counsel for the petitioner mainly submits that even assuming that the allegations made in the report to be true, no offence is made against the petitioners. He further submits that A.1 to A.3 were already arrested and released on bail. Hence, the request of the petitioners can be considered. The same is opposed by the learned Public Prosecutor.

The material on record goes to show that the petitioners are

present and participated in the commission of offence along with other accused. Petitioners and other accused are alleged to have broke open the doors of the house of the informant, entered into the house and beat the informant on his head and caused him bleeding injuries.

In view of the gravity of allegations leveled against the petitioners, I am not inclined to consider the request of the petitioners for grant of anticipatory bail. However, the petitioners, if so advised, shall surrender before the concerned Court and move an application seeking regular bail after giving prior notice to the concerned Public Prosecutor, in which event the same shall be considered in accordance with law on the same day.

With above direction, the Criminal Petition is disposed of.

JUSTICE C. PRAVEEN KUMAR

29.08.2016
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