

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

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CRIMINAL PETITION No.10790 OF 2016
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ORDER:

Heard the learned counsel for the petitioners and the learned Public Prosecutor.

2. The present Criminal Petition came to be filed under Sections 437 and 439 of the Code of Criminal Procedure, 1973, by the petitioners/A.1 and A.2 seeking enlargement on bail in connection with Crime No.82 of 2016 of Muttukur Police Station, Nellore District, registered for the offences punishable under Sections 307, 324 read with 34 IPC.

3. The case of the prosecution is that on 23.04.2016 during night hours while the informant was sleeping outside his hotel, heard the cries of one person. Upon which, he woke up and saw two persons with iron rods chasing one person and thereafter, beating him indiscriminately. On receiving injuries, the said person fell down unconscious and the culprits ran away along with iron rods. The informant revealed the identity particulars of both the injured and the assailants. Basing on these allegations, the present crime came to be registered.

4. Learned counsel for the petitioners submits that the petitioners were arrested on 10.05.2016 in another crime and they were remanded to judicial custody in the present crime on 20.05.2015 on production of P.T. Warrants and since then they are in jail. He further submits that the petitioners are innocents of the offences alleged against them and they are no way concerned with the incident in this case.

5. Learned Public Prosecutor opposed the same contending that the injured is still taking treatment in Chennai. The same is disputed by the learned counsel for the petitioners.

6. A perusal of the record would show that this Court by an order dated 12.07.2016 dismissed the bail application filed by the petitioners vide Criminal Petition No.9802 of 2016. Having regard to the facts and circumstances of the case and as there is a dispute with regard to discharge of the injured, I am not inclined to grant bail to the petitioners at this stage. However, the petitioners shall approach the Court below and move an application for bail with all the relevant documents, in which event, the same shall be dealt with, in accordance with law, on the same day, uninfluenced by the earlier order passed by this Court.

7. Accordingly, the Criminal Petition is disposed of.

JUSTICE C. PRAVEEN KUMAR

Date:03.08.2016

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