

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

CRIMINAL PETITION No.14882 of 2016

ORDER:

The petitioners, who are accused Nos.1 and 2 in crime No.303 of 2016 of Ongole I Police Station, Prakasham District, filed the present application under Section 438 of the Code of the Criminal Procedure seeking release in the event of their arrest in connection with the above crime registered for the offence punishable under Section 323 r/w.34 IPC and Sections 3 (1) (r)(s), 2 (va) of SCs & STs (POA) Act.

On 30.09.2016 at about 0200 hours when the informant was coming out from Keertana Canteen, RTC Bus stand, Ongole, A.1 and A.2 gave a dash to him. When the informant asked them as to why they dashed him, accused picked up a quarrel with him, abused him by taking his caste name and also beat him, due to which he sustained injuries on the left side of his head and nail injuries on his throat. Basing on these allegations, present report came to be lodged.

Heard the learned counsel for the petitioners as well as the Additional learned Public Prosecutor.

As seen from the record, the offence punishable under Section 323 IPC is bailable in nature. Insofar as Sections 3 (1) (r)(s) and 2 (va) of SCs & STs (POA) Act are concerned, learned counsel for the petitioners submits that the petitioners are no way concerned with the alleged offence and in fact the petitioners themselves gave information to Police through their mobile about

the quarrel took place beside St.Xavier School, Kurnool Road Junction, Ongole.

Having regard to the facts in issue and the nature of allegations made against the petitioners, they are directed to surrender before the Court below within ten days from today and move an application for grant of bail, after giving prior notice to APP, in which event, they shall be released on bail on such terms and conditions as the said Court deems fit.

Accordingly, the Criminal Petition is disposed of.

14.10.2016
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JUSTICE C. PRAVEEN KUMAR