

THE HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

CRIMINAL PETITION No.6195 of 2017

ORDER:

This criminal petition is filed by the petitioners-accused Nos.1 and 4, under Section 438 Cr.P.C., seeking bail in the event of their arrest in Crime No.92 of 2017 on the file of the Station House Officer, Sirivella Police Station, Kurnool District, registered for the offence punishable under Section 307 read with 34 IPC.

2. The learned counsel for the petitioners submitted that the petitioners were falsely implicated in this case. ***Per contra***, the learned Additional Public Prosecutor representing the State submitted that the *de facto* complainant is still taking treatment, therefore, it is not a fit case to grant pre-arrest bail to the petitioners.

3. The case of the prosecution is that on 03.06.2017, the petitioners along with others went to the house of the *de facto* complainant with an intention to kill him. It is the further case of the prosecution that the first petitioner, who is A1, inflicted knife injuries on the *de facto* complainant. It is the further case of the prosecution that the petitioners along with other accused beat two more victims. The petitioners filed CrI.M.P.No.1039 of 2017 on the file of the Court of V Additional Sessions Judge, Kurnool at Nandyal, and the same was dismissed on 12.07.2017.

4. A perusal of the record reveals that A2 in this case lodged a complaint against the *de facto* complainant and others in Crime No.91 of 2017. A perusal of the record also reveals that there are some disputes between the *de facto* complainant and the petitioners. A perusal of the record *prima facie* reveals that the petitioners went to the house of the *de facto* complainant and inflicted injuries to the complainant and others. A perusal of the record *prima facie* reveals the role played by the petitioners. The learned Additional Public Prosecutor submitted that the *de facto* complainant is still undergoing treatment.

5. Taking into consideration the nature of the offence alleged to have been committed by the petitioners, this Court is of the considered view that it is not a fit case to grant pre-arrest bail to the petitioners-accused Nos.1 and 4 at this stage.

6. In the result, the criminal petition is dismissed.

18th September, 2017
Rns

T.SUNIL CHOWDARY, J