

THE HON'BLE SRI JUSTICE M.S.K.JAISWAL

CRIMINAL PETITION NO.3464 OF 2017

ORDER:

This Criminal Petition is filed under Section 438 Cr.P.C. seeking to grant anticipatory bail in the event of arrest of the petitioner/A.3 in Cr.No.107 of 2017 of Amberpet Police Station, Hyderabad, which was initially registered for the offence punishable under Section 324 r/w.34 IPC and subsequently altered to Section 307 r/w.34 IPC.

2. Heard both sides. Perused the record.

3. The case of the prosecution is that A.1 agreed to buy car washing machinery belonging to the complainant for an amount of Rs.1.25 lakhs and also to pay Rs.50,000/- towards advance. In connection with said transaction, on 14.03.2017 A.1 made a telephone call to the complainant and asked him to wait at Ayyappa Swamy Temple to receive the advance. When the complainant was waiting for A.1 near the temple, two persons came nearby him introducing themselves as friends of A.1 and attacked the complainant with iron pana of 30-32 size and hit him hard on his neck. When the complainant raised hue and cry, said persons fled away from the place.

4. As seen from the material on record, initially case was registered u/s.324 IPC against A.1 and two others. However, during the course of investigation, it was established that the incident took place due to business rivalry and accused were engaged to attack the complainant with a common intention to eliminate him. Since the allegations made against the accused are grave in nature and as the investigation is still in progress, this Court is not inclined to consider the request of the petitioner for grant of anticipatory bail.

5. Accordingly, the Criminal Petition is dismissed.

6. Miscellaneous petitions, if any pending in this petition shall stand closed.

M.S.K.JAISWAL, J

DATED: 18-05-2017.

Hsd/Ccm

