

**THE HON'BLE SRI JUSTICE T.SUNIL CHOWDARY**

**CRIMINAL PETITION NO.8422 OF 2017**

**ORDER:**

Petitioner, who is A6 in Cr.No.129 of 2017 on the file of Station House Officer, Kothapeta Police Station, Guntur District, registered for the offences punishable under Sections 384, 324, 427 and 506 r/w 34 IPC, filed this petition under Section 438 Cr.P.C. seeking anticipatory bail.

2. Learned counsel for the petitioner submitted that the trial Court granted regular bail to A1 and A3 to A5. He further submitted that the petitioner was falsely implicated in this case; therefore, it is a fit case to grant pre-arrest bail to the petitioner. **Per contra**, learned Additional Public Prosecutor representing the State submitted that the allegations made in the complaint *ex facie* constitute the offences alleged to have been committed by the petitioner; therefore, it is not a fit case to grant pre-arrest bail to the petitioner.

3. The case of the prosecution is that on 02.06.2017, A1 and A2 entered into the shop of the de facto complainant and purchased chappals. Thereafter, some altercation took place between the de facto complainant and A1 and A2. On the same day at about 12 noon, the petitioner along with other accused entered into the shop of the de facto complainant and damaged the furniture and took away an amount of Rs.70,000/-. Basing on the complaint of the shop owner, police registered the above case.

4. A perusal of the record reveals that the petitioner and other accused beat the de facto complainant and his son and took away an amount of Rs.70,0000/- from the cash

counter. A perusal of the record *prima facie* reveals the role played by the petitioner in the commission of offence. Mere granting regular bail to the other accused automatically would not create any right in favour of the petitioner to seek anticipatory bail.

5. Taking into consideration the nature of the offences alleged to have been committed by the petitioner and the stage of investigation, I am of the considered view that it is not a fit case to grant bail to the petitioner at this stage.

6. Accordingly, the Criminal Petition is dismissed.

**DATED: 15-09-2017.**  
Hsd

**T.SUNIL CHOWDARY, J**

