

THE HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

CRIMINAL PETITION No.7418 of 2017

ORDER:

This criminal petition is filed by the accused No.1, under Section 438 of Cr.P.C., to grant pre arrest bail in Crime No.516 of 2016 on the file of the Station House Officer, Kurnool III Town Police Station, for the offences punishable under Sections 354, 323, 324 and 506 read with 34 of IPC.

2. The learned counsel for the petitioner 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 investigation is in progress; therefore, it is not a fit case to grant pre arrest bail to the petitioner.

3. The case of the prosecution is that on 14.12.2016, at about 4.00 pm, the petitioner entered into the house of the *de facto* complainant and beat her along with accused Nos.2 and 3. The further case is that the petitioner confined the *de facto* complainant in a room, fisted, kicked and thrown her on the wall. Basing on the complaint lodged by the *de facto* complainant, the above crime was registered.

4. The petitioner filed CrI.M.P.No.454 of 2017 on the file of the Court of Special Judge for trial of Cases under SCs & STs (PoA) Act-cum-VI Additional Sessions Judge, Kurnool, under Section 438 of Cr.P.C., and the same was dismissed on 28.3.2017.

5. A perusal of the record *prima facie* reveals the role played by the petitioner in commission of the alleged offences.

6. Taking into consideration the nature of the offences and the stage of the investigation, this court is of considered view that it is not a fit case to grant pre arrest bail to the petitioner.

7. Accordingly, the criminal petition is dismissed.

T.SUNIL CHOWDARY, J

September 11, 2017
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