

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

**CRIMINAL PETITION No.6398 of 2017**

**ORDER:**

This criminal petition is filed, by the petitioner-accused No.4, under Section 438 Cr.P.C., seeking pre-arrest bail in Crime No.109 of 2016 on the file of Station House Officer, Bantumilli Police Station, Krishna District, registered for the offence punishable under Section 302 read with 34 IPC.

2. Learned counsel for the petitioner strenuously submitted that the petitioner was falsely implicated in this case due to civil disputes. He further submitted that the name of the petitioner is not mentioned in the F.I.R., that itself indicates that the petitioner was falsely implicated. *Per contra*, learned Additional Public Prosecutor submitted that the petitioner along with others killed the deceased by name Sabbi Setty Badari Narayana Murthy due to land disputes and the investigation is in progress; therefore, it is not a fit case to grant pre-arrest bail to the petitioner.

3. It is the case of the prosecution that on 26.11.2016 at about 6:20 AM, the petitioner along with others killed the deceased near Bommarillu Hotel, Gudivada Road, Bantumilli. Basing on the complaint lodged by one G.N.V.P.Sourya Kumar Sabbisetty, the Station House Officer, Bantumilli Police Station registered the above case. The petitioner filed Crl.P.No.3823 of 2017 before this Court and the same was dismissed as withdrawn on 12.07.2017. A perusal of the record, *prima facie* reveals that the petitioner along with others hacked the deceased due to land disputes.

4. A perusal of the record reveals that the investigation is in progress. Taking into consideration the nature of offence alleged to have been committed by the petitioner and the stage of the investigation, this Court is of the considered view that it is not a fit case to grant pre-arrest bail to the petitioner.

5. Accordingly, the Criminal Petition is dismissed.

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**T.SUNIL CHOWDARY, J**

**AUGUST 28, 2017**  
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**Date:28.08.2017**