

THE HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

CRIMINAL PETITION NO.7581 OF 2017

ORDER:

Petitioner, who is A5 in Cr.No.138 of 2017 on the file of Station House Officer, Kothapeta Police Station, Guntur District, registered for the offences punishable under Sections 324, 447 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 de facto complainant falsely implicated the petitioner in this case; therefore, it is a fit case to grant pre-arrest bail to the petitioner.

3. Learned Additional Public Prosecutor representing the State submitted that the allegations made in the complaint *prima facie* constitute the offences alleged to have been committed by the petitioner; therefore, it is not a fit case to grant bail to the petitioner.

4. The case of the prosecution that on 15.06.2017 at about 11.30 p.m., the petitioner along with other accused entered into the house of the de facto complainant and beat him and his family members i.e., his wife, mother and daughter. Basing on the complaint lodged by the de facto complainant, police registered the above case.

5. The petitioner filed CrI.M.P.No.1366 of 2017 on the file of the III Addl. Sessions Judge, Guntur, under Section 438 Cr.P.C. seeking anticipatory bail and the same was dismissed on 30.06.2017.

6. A perusal of the record reveals that the petitioner along with other accused beat the de facto complainant and

his family members. A perusal of the C.D. filed reveals that all the witnesses supported the case of the prosecution.

7. Learned counsel for the petitioner submitted that A1 to A4 and A6 and A7 were released on regular bail. Merely because the other accused were released on regular bail, that itself is not a valid ground to grant pre-arrest bail to the petitioner. A perusal of the record *prima facie* reveals the role played by the petitioner in the commission of offence.

8. 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.

9. Accordingly, the Criminal Petition is dismissed.

DATED: 12-09-2017.
Hsd

T.SUNIL CHOWDARY, J