

THE HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

CRIMINAL PETITION NO.7238 OF 2017

ORDER:

Petitioners, who are A1 to A3 in Cr.No.53 of 2017 on the file of Station House Officer, Bomraspet Police Station, Vikarabad District, registered for the offences punishable under Sections 307, 324 and 384 r/w 34 IPC, filed this petition under Section 438 Cr.P.C. seeking anticipatory bail.

2. Learned counsel for the petitioners submitted that the petitioners were falsely implicated in this case by the de facto complainant due to land dispute; therefore, it is a fit case to grant pre-arrest bail to the petitioners.

3. Learned Additional Public Prosecutor representing the State submitted that the de facto complainant and his wife received grievous injuries; therefore, it is not a fit case to grant pre-arrest bail to the petitioners.

4. The case of the prosecution is that on 24.06.2017, the petitioners beat one K.Vijayavardhan and his wife with stones and snatched away one cell phone. Basing on the complaint lodged by Vijayavardhan, police registered the above case.

5. The petitioners filed CrI.M.P.No.723 of 2017 on the file of the Principal Sessions Judge, Mahabubnagar, under Section 438 Cr.P.C. seeking anticipatory bail and the same was dismissed on 18.07.2017. The petitioners again filed CrI.M.P.No.794 of 2017 on the file of the Spl. Sessions Judge-cum-VII Additional Sessions Judge, Mahabubnagar, under Section 438 Cr.P.C. seeking anticipatory bail and the same was dismissed on 09.08.2017.

6. A perusal of the record reveals that the de facto complainant was admitted in the hospital on 24.06.2017 and discharged on 03.07.2017. A perusal of the record reveals that the de facto complainant and his wife received grievous injuries. A perusal of the record reveals that the 1st petitioner-A1 is an accused in Cr.No.17 of 2017 on the file of Station House Officer, Bomraspet Police Station, for the offences punishable under Sections 447 and 427 r/w 34 IPC. A perusal of the record *prima facie* reveals the role played by the petitioners in the commission of offence.

7. Taking into consideration the nature of the offences alleged to have been committed by the petitioners, the nature of injuries sustained by the de facto complainant and his wife and the stage of investigation, I am of the considered view that it is not a fit case to grant bail to the petitioners at this stage.

8. Accordingly, the Criminal Petition is dismissed.

DATED: 06-09-2017.
Hsd

T.SUNIL CHOWDARY, J