

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

Criminal Petition No.11879 of 2017

ORDER:

This Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973, is filed by the petitioners-A3 & A5, for grant of anticipatory bail in the event of their arrest in connection with P.R.C.No.21 of 2017 (on the file of Judicial Magistrate of First Class, Husnabad) in Cr.No.217 of 2016 on the file of Bejjanki Police Station, Siddipet District.

2. Heard the learned counsel for the petitioners-A3 & A5, learned Additional Public Prosecutor representing the respondent-State and perused the record.

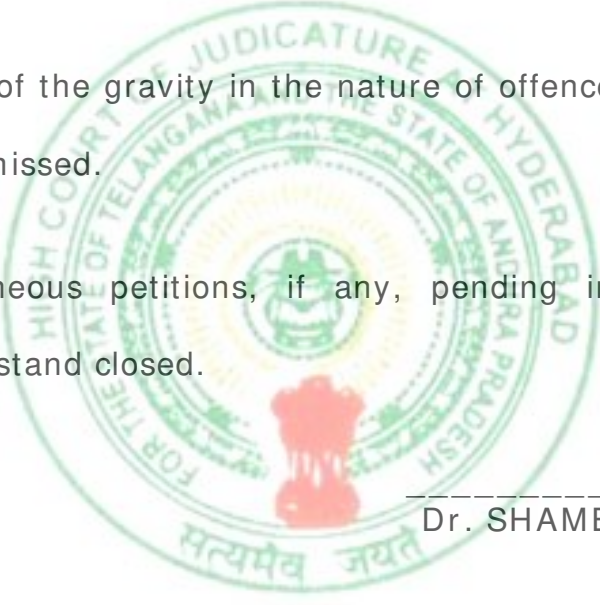
3. The learned counsel for the petitioners would submit that the charge sheet is already filed in this case and the petitioners earlier filed a writ petition before this Court in W.P.No.42703 of 2016, to quash the proceedings in Cr.No.217 of 2016, and the same was disposed of, by order dated 08.12.2016, by directing the Investigating Officer to complete the investigation without arresting the petitioners. As per the records, the *de facto* complainant suffered two simple injuries and there is nothing to further investigate and the learned counsel ultimately prayed the Court to allow the present petition.

4. On the other hand, the learned Additional Public Prosecutor opposed the grant of anticipatory bail to the petitioners.

5. During the course of submissions it is brought to the notice of this Court that the petitioner-A3 has got six other criminal cases and the names of petitioners-A3 & A5 are figured in the F.I.R. and there is also specific mention that these petitioners, along with other accused in this case, formed into an unlawful assembly attacked and caused injuries to the *de facto* complainant with chappals, broken bottles, sticks and iron rod. When the names of petitioners are found in the F.I.R. and the petitioner-A3 is involved in other criminal cases, the filing of charge sheet and completion of investigation is not a ground to allow the present petition.

6. In view of the gravity in the nature of offences, this Criminal Petition is dismissed.

Miscellaneous petitions, if any, pending in this Criminal Petition, shall stand closed.



Dr. SHAMEEM AKTHER, J

11.12.2017
MVA