

SMT JUSTICE T.RAJANI

CRIMINAL PETITION NO.1293 OF 2018

ORDER:

This Criminal Petition is filed seeking for grant of anticipatory bail to the petitioners, who are A-1 and A-2 in Crime No.24 of 2018 on the file of the Station House Officer, Nandyal Rural Police Station, Kurnool District. The offences alleged are under Sections 324 and 307 read with Section 34 of the Indian Penal Code.

Heard the learned counsel for the petitioners-A1 and A2, learned Public Prosecutor appearing for the respondent-State, and perused the record.

Counsel for the petitioners submits that with regard to the alleged incident, a complaint was given by the petitioners herein on the same day based on which Crime No.26 of 2018 was registered. A perusal of the said report would show that the *de facto* complainant and others attacked the petitioners with hands. But the complaint in this case discloses that these petitioners went to the spot and A-1 attacked the *de facto* complainant with knife and A-2 with sticks.

Learned Public Prosecutor submits that there are injuries on the body of the *de facto* complainant, which would be caused by using a knife by the first petitioner/A-1.

The facts of the case do not warrant granting anticipatory bail to the petitioners. However, considering the medical record of the first petitioner-A1 that he underwent bypass surgery on 09.06.2015, the Criminal Petition is allowed to the extent of the first petitioner-A1 and the first petitioner/A-1 is directed to

surrender before the Station House Officer, Nandyal Rural Police Station, Kurnool District within 15 days from the date of this order. On such surrender, the first petitioner/A-1 shall be released on bail on his executing personal bond for a sum of Rs.20,000/- (Rupees twenty thousand only) with two sureties for a like sum each to the satisfaction of the said Station House Officer. Further, on such release, the first petitioner/A-1 shall abide by the conditions mentioned under Section 438(2) Cr.P.C., as under:

- 1) The first petitioner/A-1 shall make himself available for interrogation by a police officer as and when required;
- 2) The first petitioner/A-1 shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer; and
- 3) The first petitioner/A-1 shall not leave India without the previous permission of the Court.

With regard to the second petitioner/A-2, there are no circumstances to grant anticipatory bail. Hence, the Criminal Petition is dismissed with regard to the second petitioner/A-2. Miscellaneous petitions, if any, pending shall stand closed.

(T.RAJANI, J)

16th February 2018
RRB