

SMT JUSTICE T. RAJANI

CRIMINAL PETITION No.1548 of 2018

ORDER:

This petition is filed, under Sections 437 and 439 of the Criminal Procedure Code, 1973, seeking to enlarge the petitioner, who is A1, on bail in Crime No.20 of 2016 on the file of the Station House Officer, Kurnool Taluq Police Station, Kurnool District.

2. Heard the counsel for the petitioner and the Public Prosecutor appearing for the respondent.

3. As per the case of the prosecution, this petitioner was not on the spot but after he left the spot, his followers came and attacked the *de facto* complainant.

4. The Public Prosecutor submits that the statements of LW1-Prakash Goud and other witnesses recorded under Section 161 Cr.P.C. would show that petitioner was also present near the place of offence and that he stopped his car at a distance from the scene of offence.

5. Hence, the same would imply that the petitioner was present and at his behest only his followers attacked the *de facto* complainant.

6. Considering the nature of the allegations, this court opines that this is not a fit case for granting anticipatory bail to the petitioner.

7. With the above observations, the Criminal Petition is dismissed. However, the petitioner can file a petition seeking for regular bail by surrendering himself before the concerned court. The concerned court shall dispose of the bail application, if any filed, on merits, expeditiously, preferably on the same day, subject to the pressure of other work.

February 16, 2018
LMV

T. RAJANI, J

