

THE HON'BLE DR. JUSTICE SHAMEEM AKTHER

CRIMINAL PETITION No.5654 OF 2018

ORDER:

Heard the learned counsel for the petitioners/A.2, A.3 and A.6, the learned Additional Public Prosecutor for the respondent-State and perused the record.

This petition is filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioners/A.2, A.3 and A.6 in Crime No.24 of 2018 of Guntakal II Town Police Station, Ananthapuram District, for the offences punishable under Sections 147, 148, 324, 307 read with 149 IPC.

Learned counsel for the petitioners/A.2, A.3 and A.6 would submit that the petitioner/A.2 is a senior citizen. There are no specific overt acts against any of the petitioners. The petitioners are the agriculturists. There are no criminal antecedents and ultimately prayed to allow the petition.

Learned Additional Public Prosecutor opposed the grant of bail to the petitioners.

The point for determination is, whether the petitioners/A.2, A.3 and A.6 are entitled for anticipatory bail as prayed for?

In the instant case, FIR was registered on 01.04.2018 based on a report lodged by the *de facto* complainant and the same is under investigation. There is specific mention in the report lodged with the police that these petitioners along with other accused went to Hayrick yard of the *de facto* complainant-Ramannagri Papaiah and formed themselves into an unlawful assembly, possessing iron rods and sticks etc., with an intention to eliminate R.Papaiah, picked up quarrel and beat him with iron rods and

sticks, etc., which resulted in multiple injuries. The motive for the commission of offence is a land dispute. There is specific overt act against the petitioners/A.2, A.3 and A.6. As per the report, there is an intention to do away with the life of the *de facto* complainant. The antecedents of the petitioners are not relevant for the purpose of this application. The investigation is in progress. The allegations are grave. Under these circumstances, the petitioners are not entitled for anticipatory bail under Section 438 Cr.P.C.

In the result, the Criminal Petition is dismissed.

22nd June, 2018.
ssp

Dr. SHAMEEM AKTHER, J

