

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

Criminal Petition No.11587 of 2018

ORDER:

This Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973, is filed by the petitioner/A.2, for grant of anticipatory bail in Crime No.184 of 2018 of Nellore IV Town Police Station, SPSR Nellore District, registered for the offences punishable under Sections 324, 326 read with 34 of I.P.C.

2. Heard the learned counsel for the petitioner/A.2, the learned Additional Public Prosecutor representing the respondent-State and perused the record.

3. The learned counsel for the petitioner/A.2 would submit that the alleged incident took place on 17.06.2018 at 04:30 PM. The name of the petitioner/A.2 is not found in the First Information Report lodged with the police. Further, the petitioner/A.2 was pacifying the situation and he did not beat any of the injured. He is an innocent person and falsely implicated in this case and ultimately prayed to allow the application.

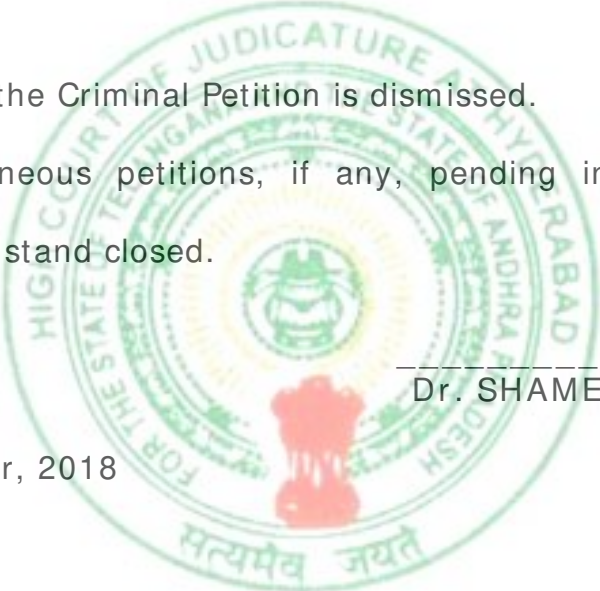
4. On the other hand, the learned Additional Public Prosecutor opposed for grant of anticipatory bail to the petitioner/A.2.

5. The material on record reveals that on 17.06.2018, at about 04:30 PM, the de-facto complainant-R.Ramakrishna Reddy and his friend Bramham were consuming alcohol in a Brandy shop. A.1 in this crime was also consuming liquor in the same Brandy shop at that time. Some quarrel took place between A.1 and

Brahmam with regard to fall of a bottle from the table. On that, A.1 called his friends over phone and on that, five persons entered into the Brandy shop and beat the de-facto complainant with a broken beer bottle. In that incident, number of persons suffered injuries. Medical record is also available to substantiate the same. There are specific overt acts against the petitioner/A.2. The allegations are grave and specific. Release of the petitioner/A.2 on bail would hinder the investigation and there is possibility of the petitioner/A.2 threatening the witnesses. It is not a fit case to allow this application.

6. Hence, the Criminal Petition is dismissed.

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



Dr. SHAMEEM AKTHER, J

08th November, 2018
Bvv