

THE HON'BLE DR.JUSTICE SHAMEEM AKTHER

CRIMINAL PETITION No.12849 OF 2018

ORDER:

This Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973 (for short, 'Cr.P.C), is filed by the petitioner/accused No.1, for grant of anticipatory bail in the event of his arrest in connection with Crime No.122 of 2018 of Markapur Town Police Station, Prakasham District, registered for the offences punishable under Sections 307 and 324 read with 34 IPC.

2. Heard the learned counsel for the petitioner/accused No.1 and the learned Public Prosecutor appearing for the respondent-State and perused the record.

3. Learned counsel for the petitioner/accused No.1 would submit that the petitioner/accused No.1 is an innocent person and falsely implicated in this case; that the petitioner/accused No.1 did not cause any injury to the *de facto* complainant as alleged and ultimately prayed to allow the application.

4. Learned Additional Public Prosecutor opposed the grant of bail to the petitioner/accused No.1.

5. As per the material placed on record, on 02.08.2018 at about 10:00 AM, the petitioner/accused No.1 along with accused No.2 attacked the *de facto* complainant, who was going to market at that time to pick up articles, with an axe and caused bleeding injuries on his head. It is also mentioned that there are some monetary disputes between the petitioner/accused No.1 and the *de facto* complainant.

6. The allegations in this case are specific and grave. The punishment for the said offences is also stringent. Release of the petitioner/accused No.1 under Section 438 Cr.P.C. would hinder the investigation. There is also possibility of threatening the witnesses. Therefore, it is not a fit case to allow the application under Section 438 Cr.P.C.

7. Accordingly, the Criminal Petition is dismissed.

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

DECEMBER 10, 2018
YVL

DR.JUSTICE SHAMEEM AKTHER



THE HON'BLE DR.JUSTICE SHAMEEM AKTHER



CRIMINAL PETITION No.12849 OF 2018

Date: 10.12.2018

YVL