

SMT JUSTICE T. RAJANI

CRIMINAL PETITION No.12262 of 2017

ORDER:

This petition is filed seeking for grant of anticipatory bail to the petitioners, who are A1 to A6, in Crime No.71 of 2017 on the file of Konakanamita Police Station, Prakasam District. The offences alleged are under Sections 341, 353 r/w 34 IPC.

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

3. The counsel for the petitioners submits that, *in fact*, there is no pathway at all and that the petitioners are in occupation of patta lands and hence, the question of violating the provisions of Section 353 IPC does not arise.

4. On the other hand, the learned Public Prosecutor submits that the investigating officer has prepared a map, which shows the existence of the pathway which the petitioners allegedly tried to close.

5. Hence, *prima facie*, it appears that the petitioners have committed the alleged offences. The nature of the offences does not entitle the petitioners for an anticipatory bail.

6. With the above observations, the Criminal Petition is dismissed. However, the petitioners are at liberty to file a petition before the court below seeking for regular bail.

As a sequel, the miscellaneous applications, if any pending, shall stand closed.

T. RAJANI, J

January 18, 2018
LMV