

THE HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION No.3787 OF 2019

ORDER:

This Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973 (for short, 'Cr.P.C'), is filed by the petitioners/Accused Nos.3 and 6 for grant of anticipatory bail in the event of their arrest in connection with Crime No.218 of 2019 of Golconda Police Station, Hyderabad, registered for the offence punishable under Section 307 read with 34 I.P.C.

2. Heard learned counsel for the petitioners/Accused Nos.3 and 6 and the learned Additional Public Prosecutor representing the respondent/State. Perused the record.

3. The case of the prosecution is that on 10.05.2019 at about 22:30 hours, the complainant came to the police station and lodged a complainant, wherein it is stated that on 10.05.2019 at about 19:15 hours, when his brother is standing with his friends, at that time, the accused persons started arguing by using filthy language and caught hold the hands of his brother, and among them one Jaleel took knife from his pocket and started to stab continuously on chest, stomach and neck of his brother, due to which his brother sustained serious injuries and shifted to Osmania Hospital and from there to Apple hospital for better treatment. The said Jaleel also stabbed one Danish, Arshad and their sons. All the injured were shifted to hospital for treatment.

4. Learned counsel for the petitioners/accused Nos.3 and 6 would submit that the petitioners were falsely implicated in this case; that when the complainant and his associates tried to

assault accused No.5, the passerby intervened and tried to stop and when they did not stop, due to which there was a melee at the place of alleged incident and in the said melee, the complainant's brother and his friends received injuries and taking advantage of the said situation, having grudge as accused No.5 is not compromising the case, a false case is foisted against the petitioners and others and hence, he prays to grant bail to the petitioners.

5. Learned Additional Public Prosecutor opposed the grant of the bail to the petitioners/accused Nos.3 and 6.

6. A perusal of the Remand Case Diary shows that accused Nos.1 to 6 along with others came along with knives and sticks and attacked L.Ws.2 to 4 (injured persons) with a common intention to kill them. Accused No.1 took the knife from his pocket and attacked on L.W.2, who is brother of the complainant and caused three stabbed injuries on his chest with an intention to kill him. Accused No.3 is also beat L.W.3 (injured person) with a stick on his shoulder and caused injuries and thereby committed the alleged offence.

7. Since the allegations levelled against the petitioners are serious and grave in nature, I am not inclined to grant anticipatory bail to the petitioners. However, if the petitioners/accused Nos.3 and 6 surrenders before the Court concerned and moves an application for grant of bail, after giving notice to the Public Prosecutor, the same shall be considered and disposed of in accordance with law.

8. With the above observation, the Criminal Petition is dismissed.

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

JUSTICE G SRI DEVI

JULY 25, 2019
YVL



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Date:25.07.2019

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