

**HON'BLE JUSTICE G. SRI DEVI**

**CRIMINAL PETITION No.4171 of 2019**

**ORDER:**

This Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973 is filed by the petitioner, who is Accused, for grant of anticipatory bail in the event of his arrest in Crime No.101 of 2019 of Kalur Thimmandoddi Police Station, Jogulamba Gadwal District, registered for the offences punishable under Sections 323 of IPC and Section 3(1)(r)(s) of SCs and STs (POA) Act, 2015.

This is a case of abusing and assaulting the complainant and his family members in the name of caste by the petitioner/Accused. Basing on the complaint lodged by the complainant, Crime No.101 of 2019 has been registered for the aforesaid offences against the petitioner/Accused.

Heard learned counsel for the petitioner/Accused and the learned Additional Public Prosecutor appearing for the respondent State. Perused the material on record.

Learned counsel for the petitioner contends that the petitioner is innocent of the alleged offences and he is not present on the alleged date of occurrence and he has been falsely implicated in the above crime due to political grudges. It is also contended that petitioner is the only earning member in the family and investigation in the above crime has already been completed, except filing of charge sheet. It is also contended that the petitioner is ready to abide by any

conditions imposed by this Court, including assisting the investigating agency for his release on anticipatory bail in the event of his arrest in the above crime.

On the other hand, the learned Additional Public Prosecutor vehemently opposed the relief sought in the above petition.

A perusal of the complaint reveals that there are specific allegations made against the petitioner that he has abused the defacto complainant and his family members in filthy language in the name of caste. In view of the specific and serious nature of allegations levelled against the petitioner, I am not inclined to grant anticipatory bail to the petitioner. However, if the petitioner surrenders before the Court below concerned within ten days from today and moves an application for regular bail, after giving prior notice to the Public Prosecutor concerned, the said application shall be considered in accordance with law on the same day itself.

With the above observations, this Criminal Petition is dismissed.

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

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**JUSTICE G. SRI DEVI**

07.08.2019.  
Msr

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