

HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION No.4401 of 2019

ORDER:

This Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973, is filed by the petitioners/A20, A26, A30, seeking to grant anticipatory bail to them in Crime No.177 of 2018 on the file of Garidepally Police Station, Suryapet District, registered for the offences under Sections 143, 448, 307, 324, 323, 354, 427 read with Section 149 IPC and under Section 3(1)(w)(i), 3(2)(va) of SCs & STs (POA) Amendment Act, 2015.

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

3. It is alleged in the remand case diary that on 06.09.2018 at 7.00 PM., when the sister, brother-in-law and elder brother of the de-facto complainant were going to their house, some ladies stopped them, enquired and beat them and thereafter at about 7.30 PM., all the accused had criminally trespassed into his house, beat his sister, brother-in-law, elder brother and his friends indiscriminately, pelted stones on them with an intention to kill them and damaged the glasses of their cars. They also tried to outrage the modesty of the sister of the de-facto complainant. The alleged incident occurred due to land disputes between the parties.

4. Learned counsel for the petitioners submits that the petitioners were falsely implicated in the present crime as they have no

knowledge about the alleged incident and registration of case against them. He further submits that the petitioners have not involved in the alleged crime directly or indirectly and that there are no specific allegations against them. He further submits that civil disputes are pending between the mother of A8 and the de-facto complainant and that another crime was also registered against the brother-in-law of the de-facto complainant and others. He further submits that the petitioners are law-abiding citizens and residents of Garakunta Thanda of Garidepally Mandal and are having movable and immovable properties and they are ready to abide by the condition imposed by this Court.

5. Learned Additional Public Prosecutor vehemently opposed to grant anticipatory bail to the petitioners and submits that as there was active role on the part of the petitioners in commission of the crime, they are not entitled for anticipatory bail.

6. In view of the serious nature of allegations leveled against the petitioners, this Court is not inclined to grant anticipatory bail to the petitioners.

7. Hence, the Criminal Petition is dismissed. However, the petitioners/A20, A26 A30 are directed to surrender before the trial Court within 10 days from the date of this order and move an application for bail. On filing such application, the trial Court may consider the same in accordance with law.

8. Miscellaneous applications, if any pending in this criminal petition, shall stand dismissed.

G. SRI DEVI, J

2nd August, 2019

sj

