

THE HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION No.4923 of 2019

ORDER:

This Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973, is filed by petitioner/A6, seeking to grant anticipatory bail in Crime No.139 of 2019 on the file of Karepally Police Station, Khammam District, registered for the offences under Sections 143, 148, 307, 109 read with Section 149 IPC.

2. Heard learned counsel for the petitioner/A6, learned Additional Public Prosecutor representing the respondent-State and perused the record.

3. It is alleged in the complaint that due to boundary disputes, A1 to A6 hatched a plan to kill the victim, by name, Veeranna, and that on 12.07.2019 at 6.00 PM., at railway gate, Kareppaly, A1 to A5, under the supervision and as per the signs of A6, had attacked the victim with sticks and stones resulting injuries all over his body.

4. Learned counsel for the petitioner/A6 submits that the petitioner is innocent of the alleged offences as he has been falsely implicated at the instigation of relatives of his wife due to serious family disputes between them. He further submits that the petitioner has filed GOP under Guardian and Wards Act, for custody of the children and obtained orders in his favour, and challenging the same, his wife preferred C.R.P.No.5419 of 2018 before the Honourable High Court and the same was disposed of confirming the orders of the lower Court and therefore, his wife and her relatives

had bore grudge and falsely implicated him in the aforesaid crime. He further submits that the petitioner has to look after his children and old aged mother and if he is arrested, they will be put to hardship. He also submits that the petitioner is ready to abide by the conditions imposed by this Court.

5. As seen from the contents of the FIR, there are specific allegations against the petitioner/A6 that on his supervision and as per his signs, A1 to A5 had attacked the victim with sticks and stones causing bleeding injuries. Therefore, in view of the nature of allegations against the petitioner/A6, this Court is not inclined to grant anticipatory bail to him and his prayer for anticipatory bail is rejected.

6. Accordingly, the Criminal Petition is dismissed. However, the petitioner/A6 is directed to surrender before the trial Court within 10 days from today and move an application for bail, and on filing such application, the trial Court may consider the same in accordance with law.

7. Miscellaneous applications, if any pending in this criminal petition, shall stand closed.

G. SRI DEVI, J

21st August, 2019

sj