

HON'BLE JUSTICE G. SRI DEVI

CRIMINAL PETITION No.5117 of 2019

ORDER :

This Criminal Petition under Section 438 of Cr.P.C. is filed by the petitioner, who is A.2, seeking anticipatory bail in Crime No.104 of 2019 of Madugulapallyl Police Station, Nalgonda District, registered for the offence punishable under Section 307 r/w. Section 34 of IPC.

The case of the prosecution is that the petitioner along with other accused came to the agricultural land of the complainant, sprinkled chilli powder into the eyes of the complainant and his other family members and also assaulted them with sticks and axe thereby causing bleeding injuries to them.

Heard learned counsel for the petitioner/A.2 and the learned Additional Public Prosecutor appearing for the respondent State. Perused the material on record.

Learned counsel for the petitioner/A.2 contends that the petitioner did not commit any offence as alleged much less offence with which he was charged. It is contended that the defacto complainant and his family members tried to grab the land of the petitioner by filing a false case before the competent civil Court and obtained order by suppressing the material facts. It is also contended that the defacto complainant is trying to convert a civil dispute into criminal

case and the police also without proper investigation converted the dispute of civil nature into criminal case in collusion with the defacto complainant. It is further contended that the petitioner is ready to abide by any of the conditions imposed by this Court and would cooperate with the investigation, if he is released on anticipatory bail in the event of his arrest in connection with the aforesaid crime.

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

A perusal of the contents of the complaint and the record discloses that the petitioner and his family members went to the land of the defacto complainant, sprinkled chilli powder into the eyes of the complainant and his family members and attacked them with sticks and axe causing bleeding injuries to them. In view of serious allegations made and also gravity of offences alleged against him, I am not inclined to grant anticipatory bail to the petitioner/A.2.

Accordingly, this Criminal Petition is dismissed.

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

JUSTICE G. SRI DEVI

16.09.2019.
Msr

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Msr