

HON'BLE JUSTICE G. SRI DEVI

CRIMINAL PETITION No.6966 of 2019

ORDER :

This Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973 is filed by the petitioners, who are A.1 and A.2, for grant of anticipatory bail in the event of their arrest in Crime No.301 of 2018 of Tandur Town Police Station, Vikarabad, Ranga Reddy District, registered for the offences punishable under Sections 326 and 448 of IPC.

This is a case where the petitioners/A.1 and A.2 trespassed into the house of the complainant, picked up a quarrel with the complainant, beat the complainant and his mother with iron rod due to which they received serious fracture injuries and admitted in Hospital at Tandur, and after first aid, they were shifted to Sunshine Hospital at Hyderabad and undergoing treatment.

Heard learned counsel for the petitioners/A.1 and A.2 and the learned Additional Public Prosecutor appearing for the respondent State. Perused the material on record.

Learned counsel for the petitioners contends that the complainant is the brother-in-law of A.1, who married the sister of A.1 as love marriage without the consent of her parents concerned and A.2 is the friend of A.1. It is also contended that a false complaint has been filed against A.1 by keeping in mind that he married a lower caste girl and lost

his dowry even though his family is well established and hatched a plan to grab money. It is also contended that without properly enquiring into the matter, the police also straight away registered the present false complaint against the petitioners, as the offence took place at the place of the complainant on 14.12.2018 and the complaint was filed on 16.12.2018, instead of complaining soon after the incident, which itself establishes that it is only a created story for the purpose of filing the present false complaint. It is also contended that no medical report is filed by the complainant along with the complaint with regard to the treatment and there is no iota of truth in the complaint filed by the complainant. It is further contended that the bail application filed by the petitioners was dismissed vide order dt.14.10.2019 in Crl.M.P.No.320 of 2019 by the learned XII Additional District and Sessions Judge, Vikarabad, Ranga Reddy District. It is contended that the petitioners are ready to abide by any conditions imposed by this Court, including assisting the investigating agency for their release on anticipatory bail in the event of their arrest in the above crime.

On the other hand, the learned Additional Public Prosecutor vehemently opposed the relief sought in the above petition contending that the complainant and his mother got severe injuries and got treated at Hyderabad and hence the petitioners are not entitled for grant of anticipatory bail.

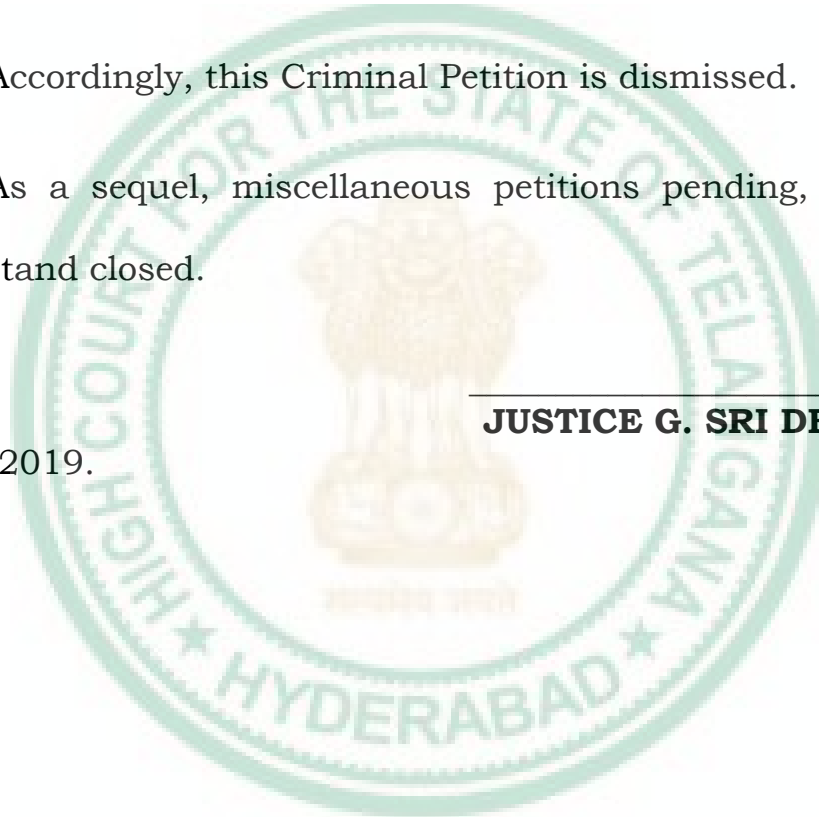
As seen from the contents of complaint, it is evident that there are specific allegations levelled against the petitioners that on 14.12.2018 at around 8.45 p.m., both the petitioners went to the house of the complainant with iron rod and deadly weapons and attacked the complainant and his mother thereby causing grievous injuries to them. In view of the specific allegations levelled against the petitioners, I am not inclined to grant anticipatory bail to the petitioners/A.1 and A.2.

Accordingly, this Criminal Petition is dismissed.

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

JUSTICE G. SRI DEVI

08.11.2019.
Msr



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