

HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION NO.7388 OF 2019

ORDER:

This Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973 (Cr.P.C.), is filed by the petitioner/A-3, for grant of anticipatory bail in Crime No.218 of 2019 of P.S. Golconda, Hyderabad District, registered for the offence punishable under Sections 307 read with Section 34 of the Indian Penal Code.

Heard the learned counsel for the petitioner/A-3, the learned Additional Public Prosecutor representing the respondent-State and perused the record.

In the FIR, it is *inter alia* stated that on 10.05.2019 at about 10.30 pm, the *de facto* complainant lodged a complaint stating that on the same day at about 7.15 pm, near his house the petitioner/A-3 along with some others started arguing by using filthy language and caught hold the hands of his brother, Jaleel, took knife and stabbed continuously on his chest, stomach and neck, due to which the condition of his brother became serious and they shifted to Osmania Hospital.

Learned counsel for the petitioner/A-3 would submit that the petitioner/A-3 is implicated in this case and he has not committed any offence as alleged. It is further submitted that there is no reliable and legally sustainable material against the petitioner/A-3. The material relied by the prosecution is fabricated and he is falsely implicated in the present case. It is further stated that the petitioner/A-3 is a permanent resident of the address mentioned in the cause-title and a law-abiding citizen. Hence, he prayed to grant anticipatory bail to the petitioner/A-3.

Learned Additional Public Prosecutor representing the respondent-State opposed to grant anticipatory bail to the petitioner/A-3.

As seen from the contents of the F.I.R., there are specific allegations against the petitioner/A-3 that himself along with other accused attacked the brother of the *de facto* complainant by using knife and caused him serious injuries.

Having regard to the facts and circumstances of the case, nature and gravity of the offence, this Court is not inclined to grant anticipatory bail to the petitioner/A-3.

The Criminal Petition is, accordingly, dismissed. However, if the petitioner/A-3 surrenders before the competent Court within a period of fifteen days from today and apply for regular bail, the same shall be considered by the said Court, in accordance with law.

Miscellaneous applications, if any, pending shall stand dismissed.

(G. SRI DEVI, J)

25th November 2019
RRB