

THE HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION No.7818 of 2019

ORDER:

This Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973, is filed by petitioner/A1, seeking to grant anticipatory bail in Cr.No.167 of 2019 on the file of Bellampally I Town Police Station, Ramagundam District, registered for the offence under Section 307 read with Section 34 IPC.

2. Heard learned counsel for the petitioner/A1, learned Additional Public Prosecutor representing the respondent-State and perused the record.

3. The case of the prosecution is that due to previous enmity, the petitioner/A1 and other accused picked up a quarrel with the de-facto complainant and attacked him with a knife, due to which, he received bleeding injury on his left ear. Hence, the aforesaid complaint was filed by the de-facto complainant.

4. Learned counsel for the petitioner/A1 submits that the petitioner has not committed any offence as alleged by the prosecution and that on the date of incident, when the petitioner tried to subside the issue between one Akhil and others, all of sudden, a quarrel took place between them, however, the de-facto complainant has not sustained any injury and he was not sent for medical examination. He further submits that the petitioner is studying Degree and he did not involve in any crime previously. He also submits that the entire investigation is completed and if the petitioner

is released, no prejudice would be caused to the prosecution and that the petitioner undertakes to cooperate with the police till conclusion of trial and he shall abide by any condition imposed by this Court.

5. Learned Additional Public Prosecutor opposed the relief sought in the petition.

6. As seen from the contents of the FIR, there are specific allegations against the petitioner/A1 that he along with others picked up a quarrel with the de-facto complainant due to previous enmity and attacked him with a knife resulting grievous injury on his left ear. Thus, in view of the nature of allegations leveled against the petitioner/A1 and his involvement in the crime with a deadly weapon, this Court is not inclined to grant anticipatory bail to him and his prayer for anticipatory bail is refused. However, if the petitioner/A1 surrenders before the trial Court within 15 days from today and files an application for bail, the trial Court shall consider the same in accordance with law after giving due notice to the Public Prosecutor.

7. With the above directions, the Criminal Petition is dismissed.

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

G. SRI DEVI, J

18th December, 2019

sj