

HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION NO.119 OF 2020

ORDER:

This Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973 (Cr.P.C.), is filed by the petitioner/A-5, for grant of anticipatory bail in Crime No.117 of 2019 of P.S. Maddirala, Suryapet District, registered for the offences punishable under Sections 147, 148 and 307 read with Section 149 of the Indian Penal Code.

Heard the learned counsel for the petitioner/A-5, the learned Additional Public Prosecutor representing the respondent-State and perused the record.

In the FIR, it is *inter alia* stated that the *de facto* complainant lodged a complaint on 04.11.2019 alleging that on 03.11.2019, when her husband reached near bus stand at about 8.45 pm, A-1 to A-13 have assembled unlawfully and A-5 sprinkled chilli-powder on her husband and his associates and all the accused beat them indiscriminately with talwars, as a result her husband and others have sustained bleeding injuries in head, hand and other parts of the body.

Learned counsel for the petitioner/A-5 would submit that all the allegations levelled by the *de facto* complainant in her report are fictitious and concocted for the purpose of foisting false case and there is no iota of truth in the allegations. It is submitted that the petitioner merely being the villager and having raised complaint on Ravulapally canal issue, he cannot be dragged into the above crime on assumptions and presumptions. The petitioner is a law-abiding citizen and would

be put to great hardship if anticipatory bail is not granted. The petitioner/A-5 is ready to furnish security and would be available for interrogation as and when required. Hence, he prayed to grant anticipatory bail to the petitioner/A-5.

Learned Additional Public Prosecutor representing the respondent-State opposed to grant anticipatory bail to the petitioner/A-5.

As seen from the contents of the F.I.R., there are specific allegations against the petitioner/A-5.

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-5.

The Criminal Petition is, accordingly, dismissed. However, if the petitioner/A-5 surrenders before the competent Court within a period of fifteen days from today and applies 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)

10th January 2020
RRB