

THE HONOURABLE JUSTICE G. SRI DEVI
CRIMINAL PETITION Nos.85 and 324 of 2020

COMMON ORDER:

Since both these criminal petitions arise out of similar crime, they are being disposed of by this common order.

2. These criminal petitions, under Section 438 of the Code of Criminal Procedure, 1973, are filed by petitioners/A3 to A7 and petitioners/A1 and A2 respectively, seeking to grant anticipatory bail to them in Cr.No.128 of 2019 on the file of Munagala Police Station, Suryapet District, registered for the offences under Sections 307, 504 read with Section 149 IPC and under Sections 3(1)(r)(s) and 3(2)(v) of SCs & STs (POA) Act.

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

4. The case of the prosecution is that on 07.07.2019 at 8.00 PM., while the de-facto complainant and other villagers were returning to their village, A1 to A7, who were waiting in an Indigo Car bearing No.AP 29 BV 7077 at lemon garden, attacked them with sticks and axes and beat them indiscriminately by abusing them in filthy language in the name of their caste, due to which, the de-facto complainant and others have sustained bleeding injuries.

5. Learned counsel for the petitioners submits that the petitioners are innocent of the alleged offences and they are no way concerned with the crime and a false case has been foisted against them. He

further submits that there is no allegation in the complaint that all the accused conspired together for commission of the alleged offences. He further submits that there is no allegation in the complaint that A3 and A4 beat the de-facto complainant and only an omnibus allegation is made against A2 to A4 that they beat the de-facto complainant. He further submits that the petitioners are ready to furnish sufficient sureties to the satisfaction of the Court and they shall abide by any condition imposed by this Court.

6. Learned Additional Public Prosecutor opposed the relief sought in the petition and submits that out of three injured persons, two persons have received simple injuries and one person received four grievous injuries and one simple injury and that the petitioners also insulted the de-facto complainant in the name of his caste. Thus, the petitioners are not entitled for anticipatory bail

7. In view of the nature of allegations leveled against the petitioners and the assault made by them with deadly weapons resulting four grievous injuries to one of the injured persons, I am not inclined to grant anticipatory bail to them and their prayer for anticipatory bail is refused.

8. Hence, the Criminal Petitions are dismissed.

9. Miscellaneous applications, if any pending in these criminal petitions, shall stand dismissed.

G. SRI DEVI, J

31st January, 2020

sj