

THE HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION No.1205 of 2020

ORDER:

This Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973, is filed by the petitioner/accused No.9 seeking to grant anticipatory bail in the event of his arrest in Crime No.6 of 2019 on the file of Manuguru Police Station, Kothagudem District, registered for the offences punishable under Sections 147, 148, 448, 427, 436, 506 and 353 read with Section 149 IPC.

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

3. The brief facts of the case as per the complaint are that on 08.01.2019 at 13.30 hours, accused Nos.1 to 15 and some others formed themselves into an unlawful assembly and armed deadly weapons like sticks, criminally trespassed into the house of the de facto complainant and caused damage to the cool drinks/belt shop and other domestic goods and thereafter set fire to the shop and when the Fire department officials came with fire engine to extinguish the flames, the said accused obstructed them from their legitimate duties and thereby caused loss to a tune of Rs.26,000/- in all, as the accused took retaliation on the death of one Challa Prathap who was said to be killed by the son of the de facto complainant on the night of 07.01.2019 by giving blows and fisted on the temple part of the deceased. Hence, the complaint.

4. Learned counsel for the petitioner submitted that the allegations levelled against the petitioner are all false and fabricated for the purpose of this case; that the petitioner is a law abiding

citizens and is ready to abide by any conditions that may be imposed by this Court in the event of his enlargement on anticipatory bail.

5. Learned Additional Public Prosecutor vehemently opposed to grant bail to the petitioner and submitted that the petitioner along with other accused set fire to the shop of the de facto complainant and caused monetary loss of about Rs.26,000/- to him and thereafter when the fire department officials came to put off the flames, the petitioner along with other accused obstructed the official duty of the Police and the fire department authorities.

6. Looking into the gravity of the offences, the nature of allegations levelled against the petitioner, the facts and circumstances of the case and the involvement of the petitioner in the alleged crime, I am not inclined to grant anticipatory bail to the petitioner.

7. The Criminal Petition is accordingly dismissed. However, the petitioner is directed to surrender before the Court concerned within a period of 15 days from the date of this order and file an application seeking grant of bail, upon which, the Court concerned shall consider the same and pass appropriate orders in accordance with law after giving due notice to the learned Public Prosecutor.

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

JUSTICE G.SRI DEVI

26th February, 2020
dr