

HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

CRIMINAL PETITION No. 8820 OF 2021

ORDER:

This Criminal Petition, under Section 438 Cr.P.C., is filed by the petitioners – Accused Nos.1, 2 and 4 seeking bail in the event of their arrest in connection with Crime No. 427 of 2020 of Shankerpalli Police Station, Cyberabad, registered for the offence punishable under Section 326 read with Section 34 of the Indian Penal Code.

2. The case of the prosecution is that the *de facto* complainant lodged a complaint stating that on 25.10.2020 at about 10.40 pm his neighbour made a call to him stating that his brother Surrender Reddy is quarreling with some persons and when he reached there, he found his brother in a pool of blood and when he asked the petitioners, they said that he will also get the same as his brother and teased him. He ignored them and took his brother to the hospital, as his condition was critical and his brother received injuries on his lip and his left hand finger was broken.

3. Heard the learned counsel for the petitioners, learned Assistant Government Pleader appearing for the State and perused the material available on record.

4. Sri K. Pradeep Kumar, learned counsel appearing for the petitioners, submits that this is a case and counter

case, that the second petitioner gave a complaint which is registered in Crime No.426 of 2020 for the offences under Section 324 read with Section 34 IPC and Section 3(1)(r)(s) of the SCs & STs (POA) Act on 25.10.2020 and as a counter blast to the said case, the present case is registered under Section 326 read with Section 34 IPC. He submits that in another case in CrI.P.No.6233 of 2020, this Court has granted protection not to take any coercive steps against the petitioners. In the said case, charge sheet is also filed. He submits that the petitioners are students and if they are arrested, their career will be ruined and hence, their case may be considered for grant of pre-arrest bail.

5. On the other hand, learned Assistant Public Prosecutor submits that it is a case of the year 2020 and it is a case and counter case and charge sheet is filed.

6. Taking into consideration the fact that it is a case and counter case between the parties, as charge sheet is already filed, this Court deems it appropriate to grant pre-arrest bail to the petitioners/A-1, A-2 and A-4.

7. Accordingly, this Criminal Petition is allowed. Petitioners – Accused Nos.1, 2 and 4 shall surrender before the Station House Officer, Shankerpalli Police Station, Cyberabad, in connection with Crime No. 427 of 2020 within one week from today and on such surrender and executing a

personal bond for Rs.20,000/- (Rupees twenty thousand only) each with two sureties for a like sum each to the satisfaction of the said Station House Officer, they shall be released on bail. It is made clear that no further extension of time will be granted.

Miscellaneous applications, if any, pending shall stand closed.

LALITHA KANNEGANTI, J

6th December 2021
RRB