

HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

CRIMINAL PETITION No. 8801 OF 2021

ORDER:

This Criminal Petition, under Section 438 Cr.P.C., is filed by the petitioners – Accused Nos.2 and 3 seeking bail in the event of their arrest in connection with Crime No. 393 of 2021 of Chikkadapally Police Station, Hyderabad, registered for the offence punishable under Section 307 read with Section 34 of the Indian Penal Code.

2. The case of the prosecution is that on 12.10.2021 at 6.30 pm a report was lodged stating that at about 3.00 pm A-1 to A-3 stopped Dr. Md. Azharuddin and Devi Shiva Prasad and pushed Devi Shiva Prasad and abused Dr. Md. Azharuddin aside and with an intention to kill, pushed him from the second floor due to which he fell down in the neighbouring premises and sustained injuries to waist, neck and palms.

3. Heard the learned counsel for the petitioners Sri K.Siddarth Reddy, learned Assistant Public Prosecutor appearing for the State and perused the material on record.

4. Learned counsel appearing for the petitioners submits that it is a case and counter case where the complaint filed by the father of A-1 was registered as Crime No.392 of 2021 for the offence under Section 324 IPC and the present case was registered as Crime No.393 of 2021. He submits that there was a dispute with regard to payments of the hostel and hence, case and counter case are filed. He submits that A-1 has already been arrested and

released on bail on 10.11.2021. Hence, the case of the petitioners may be considered for grant of pre-arrest bail.

5. On the other hand, learned Assistant Public Prosecutor submits that investigation is pending and the accused have received multiple injuries. He does not dispute the fact that A-1 has already been arrested and released on bail.

6. Taking into consideration that it is a case and counter case between the parties, as A-1 was already enlarged on bail, this Court deems it appropriate to grant pre-arrest bail to the petitioners.

7. Accordingly, this Criminal Petition is allowed. Petitioners – Accused Nos. 2 and 3 shall surrender before the Station House Officer, Chikkadapally Police Station, Hyderabad, in connection with Crime No. 393 of 2021 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 application, if any, pending shall stand closed.

LALITHA KANNEGANTI, J

3rd December 2021
RRB