

HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

CRIMINAL PETITION No. 9666 of 2021

ORDER:

This petition is filed under Section 438 Cr.P.C. seeking bail to petitioners/A-1, A2 and A4 in the event of their arrest in connection with Crime No.249 of 2021 of Konijerla Police Station, Khammam District, registered for the offence punishable under Section 307 read with 34 IPC.

2. The case of the prosecution is that on 15.10.2021 at 1500 hours, all the accused being relatives of de-facto complainant, with an intention to kill the de-facto complainant, his wife, his brother-in-law and his brother, due to land disputes, have assaulted them with hands, sticks, shovels and pelted stones, due to which they received bleeding injuries.

3. Learned counsel for petitioners Sri Ch. Srinivasa Reddy, submits that it is a case and counter case in view of the disputes between the parties, and earlier, the daughter of A1 has given a complaint, which was registered as Cr.No.245 of 2021 on 17.10.2021, and as a counterblast to the said case with regard to the same incident, the present crime is registered as Cr.No.249 of 2021. Learned counsel submits that both the cases are registered under Section 307 read with 34 IPC. Learned counsel submits that in Cr.No.245 of 2021, the Court below has granted bail to the accused therein and hence, their case may be considered for grant of pre-arrest bail.

4. Learned Assistant Public Prosecutor submits that in the alleged incident, one person has received grievous injuries and the investigation is pending, and at this stage, the petitioners are not entitled for pre-arrest bail.

5. Taking into consideration the fact that it is a case and counter case, and in another crime i.e, Cr.No.245 of 2021, the accused were granted bail, this Court deems it appropriate to grant pre-arrest bail to petitioners.

6. The Criminal Petition is allowed. Petitioners – Accused Nos.1, 2 and 4 shall surrender before the Station House Officer, Konijerla Police Station,

Khammam District, in connection with Crime No.249 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.

LALITHA KANNEGANTI, J

29th December, 2021

sj