

THE HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

CRIMINAL PETITION NO.9779 OF 2021

ORDER:-

This petition is filed under Section 438 of the Code of Criminal Procedure, 1973 (for short "Cr.P.C.") seeking pre-arrest bail to the petitioner/A.1 in the event of his arrest in connection with Crime No.143 of 2021 of Akkannapet Police Station, Siddipet District, registered for the offences punishable under Sections 324, 323, 290 and 506 read with 34 of the Indian Penal Code, 1860 (for short 'IPC').

2. A report was lodged by the *de facto* complainant stating that on 05.12.2021 at about 1100 hours while he was going to Keshavapur Village, the accused along with some other persons came in a Maruthi Van and picked up quarrel with him by keeping the previous land disputes in mind and abused him in filthy language. The accused beat him with iron rod on his left hand and thrown him on the ground and other persons kicked him with legs, on his back and stomach and also threatened him with dire consequences. Basing on the report, the present crime is registered.

3. Heard Mr.K. Satyanarayana, learned counsel for the petitioner, and learned Assistant Public Prosecutor for the respondent-State.

4. Learned counsel for the petitioner submits that there are disputes between petitioner and *de facto* complainant, who is none other than the brother of the petitioner, and it is purely a civil dispute with regard to the properties. He submits that when the petitioner wanted to file a suit for partition, the *de facto* complainant threatened him that he will file a case

against the petitioner. It is submitted that petitioner has nothing to do with the alleged offence and a false case is foisted against him. Hence, the petitioner's case may be considered for grant of pre-arrest bail.

5. Learned Assistant Public Prosecutor submits that both petitioner and *de facto* complainant are brothers and there are disputes with regard to properties. He submits that investigation is pending and as the *de facto* complainant received grievous injuries, the petitioner is not entitled for pre-arrest bail.

6. Taking into consideration the relation between the parties and disputes with regard to the properties, this Court deems it fit to grant pre-arrest bail to the petitioner.

7. Accordingly, this Criminal Petition is allowed. Petitioner/A.1 shall surrender before the Station House Officer, Akkannapet Police Station, Siddipet District, in connection with Crime No.143 of 2021 within one week from today and on such surrender and executing a personal bond for a sum Rs.20,000/- (Rupees twenty thousand only) with two sureties for a like sum each to the satisfaction of the said Station House Officer, he shall be released on bail. It is made clear that no further extension of time will be granted. Further, the petitioner shall not enter into Keshavapur Village for a period of two months.

Consequently, miscellaneous applications pending, if any, shall stand closed.

LALITHA KANNEGANTI, J

Date :28.12.2021
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