

THE HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

CRIMINAL PETITION NO.9732 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.2 in the event of her arrest in connection with Crime No.288 of 2021 of Wadapalli Police Station, Nalgonda District, registered for the offences punishable under Sections 307, 341, 509 and 427 read with 34 of the Indian Penal Code, 1860 (for short 'IPC').

2. The case of prosecution is that on 25.07.2021 at about 1030 hours the *de facto* complainant came to the police station stating that as their lands were registered with the another name, they placed the matter before the village elders for settlement. In the meantime, the accused persons picked up quarrel with his elder brother and abused him in filthy language and beat him with sticks on his back. On the advice of elders, while he along with his family members proceeding to Police Station, about ten persons obstructed their motorcycles at NSP Camp Kondrapole and beat them with stones and sticks and he sustained head injury on his head and also beat their family members and damaged two motor cycles. Basing on the complaint, the present crime is registered.

3. Heard Mr.Y.Ashok Raj, learned counsel for the petitioner, and learned Assistant Public Prosecutor for the respondent-State.

4. Learned counsel for the petitioner submits that even as per the complaint allegations there are disputes between the parties with regard to registration of lands in online portal vice versa and in that process mediation was also held

before the elders. He submits that absolutely there are no specific overt acts attracting the offences against the petitioner. He further submits that the Court below has granted regular bail to A.1. In view of the disputes, the petitioner has been implicated falsely in this case. Therefore, he prayed to grant pre-arrest bail to the petitioner.

5. On the other hand, learned Assistant Public Prosecutor submits that so far six witnesses were examined. He does not dispute about granting of bail to A.1. As the investigation is pending, the petitioner is not entitled for pre-arrest bail.

6. Taking into consideration the nature of the disputes between the parties and further as there are no specific overt acts against the petitioner, this Court deems it appropriate to grant pre-arrest bail to the petitioner.

7. Accordingly, this Criminal Petition is allowed. Petitioner/A.2 shall surrender before the Station House Officer, Wadapalli Police Station, Nalgonda District, in connection with Crime No.288 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, she shall be released on bail. It is made clear that no further extension of time will be granted.

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

LALITHA KANNEGANTI, J

Date :28.12.2021

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