

HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

CRIMINAL PETITION No.352 of 2022

O R D E R:

This Criminal Petition under Section 438 Cr.P.C. is filed by petitioners – Accused No.1 to 4 seeking pre-arrest bail in connection with Crime No.233 of 2021 of Kesamudram Police Station, Mahabubabad District, registered for the offences punishable under Sections 448, 294-B, 354, 307, 323, 506 r/w 34 of the Indian Penal Code, 1860 (for short “IPC”).

2. A report was lodged by the *de facto* complainant stating that on 23.12.2021 while she was getting repairs to her house situated at Kesamudram, the petitioners who are her brother-in-law, father-in-law mother-in-law and her husband have criminally entered into her house and when she questioned them, her brother-in-law pushed her aside and all of them beat her. Her husband also beat her by caught hold of her hair, as a result, she sustained injuries. When the neighbours came to her rescue, petitioners left the place by threatening her with dire consequences. Basing on the said report, the present crime was registered.

3. Heard Sri R.Mangulal, learned counsel for petitioner and learned Assistant Public Prosecutor appearing on behalf of respondent-State.

4. Learned counsel for petitioners submits that initially the complaint was registered for the offences under Sections 448, 294B, 354, 323, 506 r/w 34 of IPC and later Section 307 of IPC was added. He submits that earlier the 4th petitioner gave complaint against the *de facto* complainant on 22.12.2021 and as

a counterblast to the same, the present crime was registered. He submits that in view of strained relationship between the parties, petitioners have been falsely implicated in this case, as such their case may be considered for grant of pre-arrest bail.

5. *Per contra*, learned Assistant Public Prosecutor submits that already the *de facto* complainant has given a complaint against the petitioners, which was registered for the offence under Section 498A of IPC and also for criminal trespass. He submits that injuries sustained by complainant are simple in nature.

6. Taking into consideration the allegations in the complaint and earlier complaint given by 4th petitioner against the *de facto* complainant, this Court deems it appropriate to grant pre-arrest bail to the petitioners.

7. In the result, criminal petition is allowed and the petitioners / A-1 to A-4 shall be enlarged on bail in the event of their arrest in connection with Crime No.233 of 2021 of Kesamudram Police Station, Mahabubabad District on their executing each a bond for a sum of Rs.20,000/- (Rupees twenty thousand only) with two sureties each for a like sum to the satisfaction of Station House Officer, Kesamudram Police Station, Mahabubabad District.

LALITHA KANNEGANTI, J

19th January, 2022

PVD

THE HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

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19.01.2022

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