

THE HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

CRIMINAL PETITION No.1021 of 2022

ORDER

This petition is filed under Section 438 of the Code of Criminal Procedure, 1973, seeking pre-arrest bail to the petitioner/A.1 in the event of his arrest in connection with Crime No.153 of 2021 of Peddemul Police Station, Vikarabad District, registered for the offences punishable under Sections 324, 323, 504 read with 34 IPC.

2. The case of prosecution is that due to land disputes, the petitioner/A1, who is the brother of de-facto complainant, beat the de-facto complainant with hands on 23.10.2021 at 0800 hours at Shakar Tea Stall, then his wife A2 also abused him in filthy language and when the son of de-facto complainant came to rescue his father, A1 attacked his son with an axe, due to which, his son sustained injuries on his head. Hence, he filed the complaint before the police.

3. Learned Counsel for the petitioner Mr. B. Ramulu, submits that the de-facto complainant is none other than the brother of the petitioner and even as per the complaint, there are civil disputes between the parties, and in view of the same, the present complaint is registered and the petitioner has been implicated in this case. He further submits that the injuries sustained by the de-facto complainant are simple in nature. He submits that A2, who is the wife of petitioner/A1, was enlarged on bail and hence, the case of petitioner may be considered for grant of pre-arrest bail.

4. On the other hand, learned Assistant Public Prosecutor submits that the investigation is pending and so far, 7 witnesses were examined and in view of the allegations leveled against the petitioner, he is not entitled for pre-arrest bail.

5. Taking into consideration the fact that there are civil disputes between the parties and the injuries sustained by the de-facto complainant are simple in nature, this Court deems it appropriate to grant pre-arrest bail to the petitioner/A1.

6. Accordingly, this Criminal Petition is allowed. Petitioner/A.1 shall surrender before the Station House Officer, Peddemul Police Station, Vikarabad District, in connection with Crime No.153 of 2021 within one week from today and on such surrender and executing personal bonds for 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.

LALITHA KANNEGANTI, J

10th February, 2022

sj

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Date:10.02.2022

sj