

THE HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

CRIMINAL PETITION NO.1437 OF 2022

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 petitioners/A.2 and A.3 (as per Remand Report A.4 and A.5) in the event of their arrest in connection with Crime No.455 of 2020 of Khammam Rural Police Station, Khammam District, registered for the offences punishable under Sections 120-b, 341 and 307 read with 34 of IPC.

2. A report was lodged by the *de facto* complainant stating that her husband is running Kirana and Vegetable shop in Teldarupally village and that on 29.11.2022 at 4.45 a.m. her husband used to bring vegetables from Khammam Market, her villager-Unnam Sai Laxman informed her over phone that her husband fell down on road nearby Satyadev Granite factory with blood stains. Immediately, she rushed there and her husband stated that the petitioners along with Gajji Krishna Swamy and Sk.Ramjan Pasha restrained him and beat with an axe and stick with an intention to kill him. Her husband received injuries to his head, right hand and right leg and he was shifted to Government Headquarters

Hospital, Khammam, on ambulance and from there to KHIMS Hospital, Khammam, for better treatment. Basing on the said report, the present crime is registered.

3. Heard Mr.K.Kiran Kumar, learned counsel for the petitioners, and learned Assistant Public Prosecutor for the respondent-State.

4. Learned counsel for the petitioners submits that all the allegations are against A.1 and this Court, by order dated 28.04.2021, has granted bail to A.8. He submits that the petitioner is ready to cooperate with the investigation and abide by any of the conditions imposed by this Court. Hence, the petitioner's case may be considered for grant of pre-arrest bail.

5. On the other hand, learned Assistant Public Prosecutor submits that in the remand report of A.1, it is mentioned that the petitioner and other accused are absconding. As such, the petitioner is not entitled for bail.

6. Taking into consideration the fact that A.8 was already enlarged on bail by this Court and as submitted by the learned counsel for the petitioner that the petitioner is ready to cooperate with the investigation, this Court deems it appropriate to grant pre-arrest bail to the petitioners.

7. Accordingly, the Criminal Petition is allowed. Petitioners shall surrender before the Station House Officer, Khammam Rural Police Station, Khammam District, in connection with Crime No.455 of 2020 within one week from today and on such surrender and executing personal bonds for a sum 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.

Miscellaneous applications, pending if any, shall stand closed.

LALITHA KANNEGANTI, J

Date :24.02.2022

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