

HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

CRIMINAL PETITION No. 1669 OF 2022

O R D E R:

This Criminal Petition under Section 438 Cr.P.C. is filed by the petitioner – Accused No. 1 seeking bail in the event of his arrest in connection with Crime No. 190 of 2021 on the file of Chennaraopet Police Station, Warangal District registered for the offence punishable under Section 307 IPC.

2. The case of the prosecution is that on 14.12.2021, the de facto complainant lodged a report stating that on 12.12.2021, he along with his family went to Jalli Village to attend a marriage and while the marriage procession was going on, the petitioner came there in an inebriated condition and picked up a quarrel with the children of the de facto complainant. The de facto complainant gave a complaint before the Sarpanch, who held a meeting on 14.12.2021, but the petitioner did not heed to the decision of the elders. While so, the brother of the petitioner was found moving in Bolero vehicle of the petitioner, and the de facto complainant tried to stop the vehicle, but he drove the vehicle on them as a result, his son sustained injury.

3. Learned counsel for the petitioner Ms. Kandula Jayasree submits that the petitioner was arrayed as Accused No.1 and it is alleged that he has committed the offence

under Section 307 IPC. Learned counsel pointing out at the complaint submits that though it is alleged that an altercation took place between the petitioner and the de facto complainant, the allegation under Section 307 IPC. is against Accused No.2 and absolutely, there are no allegations against the petitioner for the offence under Section 307 IPC. She submits that Accused No.2 is already enlarged on bail, hence, the case of the petitioner, may also be considered for grant of bail.

4. On the other hand, learned Assistant Public Prosecutor submits that investigation is pending and so far, 12 witnesses were examined.

5. Taking into consideration the allegations in the complaint, where specific overt acts were against Accused No.2 and as he is already granted bail by the Court below, this Court deems it appropriate to grant pre-arrest bail to the petitioner, however, on certain conditions.

6. The Criminal Petition is therefore, allowed. Petitioner – Accused No.1 shall surrender before the Station House Officer, Chennaraopet Police Station in connection with Crime No. 190 of 2021 within one week from today and on such surrender and executing a personal bond 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. The petitioner shall cooperate with the investigating agency and if the petitioner indulges in any other offences, the prosecution is at liberty to move an Application for cancellation of bail.

10th March 2022

LALITHA KANNEGANTI, J

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