

HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

CRIMINAL PETITION No. 1835 OF 2022

O R D E R:

This Criminal Petition under Section 438 Cr.P.C. in filed by the petitioner - Accused No. 5 seeking bail in the event of his arrest in connection with Crime No. 23 of 2022 on the file of Janagaon Police Station, registered for the offences punishable under Sections 290, 326 and 506 read with Section 149 IPC.

2 The case of the prosecution is that on 11.01.2022, at about 21:35 hours, the de facto complainant lodged a report stating that there are agricultural land disputes between them and the accused. It is alleged that on that day at about 17.00 hours, the accused abused her husband namely Sri Nagarapu Thirupathi in filthy language and beat. with stones and sticks and threatened him with dire consequences, as a result, her husband sustained severe injuries.

3 Learned counsel for the petitioner Sri C.M.R. Velu submits that the petitioner is arrayed as Accused No.5. He submits that even as per the complaint, there are land disputes between Accused No.1 and the de facto complainant. He further submits that Accused Nos. 5 to 7 are relatives of Accused No.1

and the only allegation against the petitioner as per the complaint is that he proclaimed that he is ready to give Rs.10 lacks to kill LW.2. Learned counsel submits that as the petitioner is a relative of Accused No.1 with whom the de facto complainant had disputes, he has been implicated in this case. He submits that even as per the complaint, the petitioner has nothing to do with any of the injuries suffered by the husband of the de facto complainant, hence, his case may be considered for grant of pre-arrest bail.

4. On the other hand, learned Assistant Public Prosecutor submits that so far, six witnesses were examined and investigation is still in progress, at this stage, the petitioner is not entitled for grant of pre-arrest bail.

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

6. Accordingly, this Criminal Petition is allowed. Petitioner - Accused No. 5 shall surrender before the Station House Officer, Jangaon Police Station in connection with Crime No. 23 of 2022 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 investigation.

LALITHA KANNEGANTI, J

8th March 2022

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