

THE HONOURABLE SMT JUSTICE JUVVADI SRIDEVI**CRIMINAL PETITION NO. 4324 OF 2022****O R D E R:**

This Criminal 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/Accused Nos.1 & 2 in the event of their arrest in connection with Crime No.73 of 2022 on the file of Station House Officer, Thorrur Police Station, Mahabubabad registered for the offences punishable under Sections 341, 324, 307 read with Section 34 of Indian Penal Code (IPC).

2. Heard the learned counsel for the petitioners/Accused Nos.1 & 2 and the learned Public Prosecutor for the respondent-State. Perused the record.

3. The case of the prosecution is that on 22.03.2022 there was a quarrel between the *de facto complainant* and the petitioners herein with regard to sharing of water. On 25.03.2022, there was a panchayat and the elders passed a resolution to share water from the agricultural well of the petitioners. The petitioners bore grudge against the *de facto complainant* and on the same day, when the *de facto complainant* was returning to his house from his land on his motorcycle, the petitioners herein stopped him at the outskirts of

Somaram Village, picked up quarrel with him and beat the *de facto complainant* with sticks, threw big stones due to which the *de facto complainant* received grievous injuries. Petitioners also pressed the throat of the *de facto complainant* with an intention to kill him. Basing on the complaint given by the *de facto complainant*, a case in Crime No.73 of 2022 was registered in Thorrur Police Station, against the petitioners.

4. Learned Public Prosecutor opposed granting of bail stating that investigation is still pending.

5. On the other hand, learned counsel for the petitioners would submit that major part of the investigation has already been completed and except filing of the charge sheet, nothing is left and the injuries allegedly received by the victim are also not grievous in nature and prayed the Court to enlarge the petitioners on bail.

6. Considering the record before this Court, it is clear that the prosecution has already examined eight witnesses, and the person who has received injuries in the hands of petitioners has already been discharged. As per the medical certificate, the victim has received simple injuries but multiple abrasions caused by the sticks over cheek, left forearms and back.

7. Therefore, considering the nature of injuries sustained by the victim and the fact that victim has already been discharged and that the investigation is under progress, it is fit case to grant anticipatory bail to the petitioners.

9. Accordingly, the Criminal Petition is allowed and the petitioners/Accused Nos.1 & 2 shall be enlarged on bail subject to the following conditions:

i) The petitioners/Accused Nos.1 & 2 are directed to surrender before the Station House Officer, Thorrur Police Station, Mahabubabad, within a period of ten (10) days from today and on such surrender, the petitioners shall be enlarged on bail on their executing a personal bond for a sum of Rs.20,000/- (Rupees Twenty Thousand Only) with two sureties each for a like sum each to the satisfaction of Station House Officer, Thorrur Police Station, Mahabubabad. The petitioners shall appear before the concerned police station on every Sunday between 10.00 a.m., and 2.00 p.m., for a period of two months or till filing of charge sheet whichever is earlier.

ii) The petitioners/Accused Nos.1 & 2 shall abide by the other conditions stipulated in Section 438 (2) Cr.P.C.

Miscellaneous applications, if any pending, shall stand closed.

19th May, 2022
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JUVVADI SRIDEVI, J