

THE HONOURABLE SMT JUSTICE G.ANUPAMA CHAKRAVARTHY**CRIMINAL PETITION No.4342 OF 2022****ORDER:**

This Criminal Petition is filed under Section 438 of the Code of Criminal Procedure, 1973 seeking bail for the petitioner/Accused in the event of his arrest in Crime No.123 of 2022 on the file of Chevella Police Station, Cyberabad for the offences punishable under Sections 307, 427 and 506 of Indian Penal Code.

2. The case of the prosecution is that on 04.04.2022 at 22.00 hours at Shabad X road, Chevella which was reported on 06.04.2022 at 11.00 hours, while the defacto complainant parked his Ecosports Car bearing No.TS07FZ4999 in front of Mythri Dhaba and having food inside the Dhaba, meanwhile his brother-in-law, who is the petitioner/Accused thought that the *de facto* complainant was in the car and intentionally hit the car two or three times with his TATA Safari Car bearing No.AP11AR6677. Then the *de facto* complainant came out of the Dhaba and the petitioner threatened him. The First Information Report further discloses that even six months ago also the petitioner threatened the *de facto* complainant with dire consequences, for which he lodged a complaint and later, both were compromised in the presence of elders.

Basing on the said complaint, the present crime came to be registered against the petitioner/Accused.

3. Learned counsel for the petitioner submitted that it is only a mere allegations made against the petitioner/Accused and the offences, as alleged in the FIR, do not attract. As there were disputes between his sister and the *de facto* complainant, the petitioner tried to settle the matter, for which the *de facto* complainant has vengeance and filed the false complaint.

4. Learned Assistant Public Prosecutor contended that the investigation is still in progress.

5. Heard the learned counsel for petitioner/Accused and the learned Assistant Public Prosecutor for respondent-State. Perused the record.

6. On perusal of the record, there is no evidence on record to show that the allegations in the FIR would attract the alleged offences. Therefore, this court is inclined to grant Anticipatory Bail to the petitioner/Accused.

7. Accordingly, the Criminal Petition is allowed and the petitioner/Accused shall be enlarged on bail in the event of his arrest subject to the following conditions:

- i) The petitioner/Accused is directed to surrender before the Judicial First Class Magistrate at Chevella, within ten (10) days from today, and on such surrender, the petitioner/Accused shall be enlarged on bail on his executing a personal bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand Only) with two sureties to the like sum each to its satisfaction.
- ii) The petitioner/Accused shall appear before the Station House Officer, Chevella Police Station on every Sunday between 04.00 PM and 05.00 PM.
- iii) The petitioner/Accused shall not leave the territorial jurisdiction of the Chevella Police Station till filing of the charge sheet.

SMT JUSTICE G.ANUPAMA CHAKRAVARTHY

Date: 12.05.2022
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