THE HONOURABLE SMT JUSTICE JUVVADI SRIDEVI

CRIMINAL PETITION NO. 4343 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 petitioner/Accused in the event of his arrest in connection with Crime No.46 of 2022 on the file of Station House Officer, Konaraopet Police Station, Rajanna Sircilla District, registered for the offence punishable under Sections 290 and 326 of Indian Penal Code (IPC).

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

3. The case of the prosecution is that on 08.03.2022 at about 1830 hours, the petitioner picked up quarrel with the husband of *de facto complainant* stating that as to why he was moving closely with the wife of petitioner and beat him with iron rod on his left hand, hip and two legs indiscriminately, due to which the husband of the *de facto complainant* received bleeding injuries. Basing on the complaint lodged by the *de facto complainant*, a case in Crime No.46 of 2022 was registered against the petitioner.

4. Learned Public Prosecutor opposed granting of bail.

5. On the other hand, learned counsel for the petitioners would submit that the Section was altered from Section 324 IPC to Section 326 IPC without any alteration memo or wound certificate of the injured.

6. It appears that there are no grievous injuries caused to the injured. Considering the facts of this case, I am inclined to grant anticipatory bail to the petitioner.

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

i) The petitioner/Accused is directed to surrender before the Station House Officer, Konaraopet Police Station, Rajanna Sircilla District, within a period of ten (10) days from today and on such surrender, the petitioner shall be enlarged on bail on his executing a personal bond for a sum of Rs.20,000/- (Rupees Twenty Thousand Only) with two sureties each for a like sum to the satisfaction of Station House Officer, Konaraopet Police Station, Rajanna Sircilla District.

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

Miscellaneous applications, if any pending, shall stand closed.

JUVVADI SRIDEVI, J

19th May, 2022
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