

THE HONOURABLE SMT. JUSTICE JUVVADI SRIDEVI

CRIMINAL PETITION No.4387 OF 2022

ORDER:

This Criminal Petition under Section 438 Cr.P.C. is filed by the petitioner – Accused seeking bail in the event of his arrest in connection with Crime No.141 of 2022 of Armoor Police Station, Nizamabad District, registered for the offence punishable under Section 307 IPC.

2. The brief facts of the prosecution case are that, since 2019 the *de facto* complainant has paid Rs.25,00,000/- worth chits to one Kathula Meena, out of which she gave some amount. It is stated in the complaint that the petitioner, who is the husband of said Kathula Meena, agreed in the presence of Mothe Chinna Reddy, I.Linganna and N.Mallaiah to pay remaining amount of Rs.4,00,000/- on 21.10.2021 to the *de facto* complainant. The petitioner has developed grudge against the *de facto* complainant and that on 21.04.2022 at 06.00 AM while the *de facto* complainant was going to agricultural fields on his hero splendor plus motor cycle and when he reached Guthpa Road, the petitioner came from his back side on Maruti Swift Dezire and dashed his motorcycle with an intention to kill him and fled away from the spot, due to which, he sustained injuries to his left leg, left hand and other parts of the body.

3. Sri.K.Durga Prasad, learned counsel for the petitioner submits that the wife of the petitioner filed O.S.No.149 of 2021 before the Prl.Junior Civil Judge, Nizamabad for recovery of Rs.5,00,000/-. After receiving the notice in the said suit, the present complaint is lodged with all false and frivolous allegations against the petitioner. The petitioner is ready to abide by the conditions imposed by this court and also cooperate with the investigation. Hence, the case of the petitioner may be considered for grant of pre-arrest bail.

4. On the other hand, learned Assistant Public Prosecutor opposed the anticipatory bail application. He submits that the *de facto* complainant sustained two injuries which are simple in nature. Since the investigation is pending, at this stage, the petitioner is not entitled for grant of pre-arrest bail.

5. Heard learned counsel for the petitioner as well as learned Assistant Public Prosecutor and perused the material on record.

6. As seen from the material on record, it appears that there are internal disputes between the wife of the petitioner and the *de facto* complainant. The wife of the petitioner also filed O.S.No.149 of 2021 for recovery of money. Hence, this Court deems it appropriate to grant pre-arrest bail to the petitioner.

7. Accordingly, the Criminal Petition is allowed with the following conditions:

- i) Petitioner – Accused shall surrender before the Station House Officer, Armoor Police Station, Nizamabad District in connection with Crime No.141 of 2022 within ten days from today and on such surrender and executing a personal bond for a sum of Rs.25,000/- (Rupees twenty five thousand only) with two sureties for a like sum each to the satisfaction of the said Station House Officer, he shall be enlarged on bail. It is made clear that no further extension of time will be granted.
- ii) The petitioner shall appear before the said Station House Officer on every Sunday between 10.00 a.m. and 02.00 p.m. for a period of two months or till filing of the charge sheet, whichever is earlier.
- iii) The petitioner shall not interfere with the investigation, intimidate or induce the material witnesses and shall cooperate with the investigating agency.
- iv) The petitioner shall abide by the other conditions stipulated in Section 438(2) Cr.P.C and co-operate with the Investigating Officer in investigating the case.

JUVVADI SRIDEVI, J

Date: 19.05.2022

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