

**THE HON'BLE SRI JUSTICE K.SURENDER**

**CRIMINAL PETITION No.5040 OF 2022**

**ORDER:**

This Criminal Petition is filed under Section 438 of Cr.P.C., seeking pre-arrest bail to the petitioner/accused No.2 in the event of his arrest in connection with Crime No.79 of 2021, pending on the file of Lalaguda Police Station, Hyderabad District, registered for the offence punishable under Section 324 read with 34 of Indian Penal Code.

2. Heard learned counsel for the petitioner/accused No.2 and learned Assistant Public Prosecutor for the respondent-State. Perused the record.

3. The case of the prosecution is that the complaint was filed against accused No.1 and this petitioner, who is accused No.2, stating that the *de facto* complainant and accused No.1 are relatives and accused No.1 married the sister of *de facto* complainant in the year, 2014, subsequently, they got separated due to family disputes and when the *de facto* complainant was trying to settle the issues, accused No.1 quarreled with the *de facto* complainant. On 14.04.2022 accused No.1 picked up a quarrel with the *de facto* complainant and two days thereafter i.e. on 16.04.2022 the *de facto* complainant went to his house and parked his car at a distance from his house and after

parking his vehicle while proceeding to his house, accused No.1 and petitioner/accused No.2 were standing near his house and the *de facto* complainant ignored them and while he was returning from his house, both accused No.1 and petitioner/accused No.2 hit the *de facto* complainant from behind with alcohol bottle and fled away.

4. Even according to the complaint and charge sheet filed against accused No.1, it is not specifically stated that this petitioner hit the *de facto* complainant with the bottle except mentioning his presence when the said attack took place.

5. In the said circumstances, the petitioner/accused No.2 can be granted the relief of Anticipatory Bail, on the following conditions:

- i) The petitioner/accused No.2 is directed to surrender before the Station House Officer, Lalaguda Police Station, Secunderabad, Hyderabad District, within a period of ten days from the date of this order. On such surrender, the said Station House Officer shall release the petitioner/accused No.2 on bail, on his executing a personal bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties in a like sum each to his satisfaction.
- ii) On such release, the petitioner/accused No.2 shall report before the said Station House Officer on every Monday between 10.00 a.m. and 5.00 p.m., for a period of two

months or till filing of the charge sheet against him, whichever is earlier.

- iii) The petitioner/accused No.2 shall abide by the other conditions stipulated in Section 438(2) of Cr.P.C and shall co-operate with the Investigating Officer in investigating the case.

Accordingly, the Criminal Petition is allowed.

Miscellaneous applications, if any pending in this criminal petition, shall stand closed.

---

**K.SURENDER, J**

Date :23.06.2022

svl

**THE HON'BLE SRI JUSTICE K.SURENDER**

**CRIMINAL PETITION NO.5040 OF 2022**

**Dt.23.06.2022**

