

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION No.5007 OF 2022****ORDER:**

This Criminal Petition is filed under Section 438 of the Code of Criminal Procedure, 1973 seeking pre-arrest bail to the petitioner, who is arrayed as Accused No.3 in the event of his arrest in Crime No.75 of 2022 on the file of Station House Officer, Kodimial Police Station, Jagtial District registered for the offences punishable under Sections 341, 307 and 506 read with Section 34 of Indian Penal Code.

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

3. The facts of the case are that, a complaint was lodged on 13.04.2022 alleging that Accused Nos.1 and 2 who are the sons of this petitioner stopped the *de facto* complainant's brother while he was going on a motor cycle and abused him in filthy language and threatened to kill the victim. In the said process, this petitioner and

his two sons who are Accused Nos.1 and 2 beat the victim with sticks.

4. Learned counsel for the petitioner submits that this petitioner was not involved in the said attack on the victim. He further submits that already Accused Nos.1 and 2 were arrested and released on regular bail.

5. Learned Assistant Public Prosecutor produced the medico legal certificate of the victim, wherein it is mentioned that the victim received contusions over chest and back, right thigh and swelling over scalp and he was treated as an outpatient.

6. In the said circumstances, when there are no specific allegations of this petitioner beating the victim, the petitioner can be granted the relief of Anticipatory Bail.

7. Accordingly, the Criminal Petition is allowed and the petitioner/Accused No.3 shall be enlarged on bail in the event of his arrest subject to the following conditions:

i) The petitioner/Accused No.3 is directed to surrender before the Station House Officer, Kodimial Police Station, Jagtial within one week from today, and on such surrender, he shall be enlarged on bail on his executing a personal bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties to the like sum each, to its satisfaction.

ii) The petitioner/Accused No.3 shall appear before the concerned Station House Officer on every 1st and 3rd Mondays between 10.30 AM and 01.00 PM for a period of three (03) months or until filing of charge sheet, whichever is earlier.

iii) The petitioner/Accused No.3 shall abide by the other conditions stipulated in Section 438(2) Cr.P.C.

8. As a sequel thereto, miscellaneous applications, if any pending, shall stand closed.

K.SURENDER, J

Date: 22.06.2022
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