

**THE HONOURABLE SRI JUSTICE K.SURENDER****CRIMINAL PETITION No.5457 OF 2022****ORDER:**

This Criminal Petition is filed under Section 438 of the Code of Criminal Procedure, 1973 seeking bail to the petitioners who are arrayed as Accused Nos.1 to 3 in the event of their arrest in Crime No.164 of 2022 on the file of Station House Officer, Geesugonda Police Station, Warangal District registered for the offences punishable under Sections 307, 294(b) and 506 read with Section 34 of Indian Penal Code.

2. Heard learned counsel for petitioners/Accused Nos.1 to 3 and learned Assistant Public Prosecutor for respondent-State. Perused the record.

3. The brief facts of the case are that, in respect of patta being given by the Government for housing purpose, the 1<sup>st</sup> petitioner and others are fighting among themselves in respect of the said house site. In the said process, the petitioners Nos.1 to 3 threatened the *de facto* complainant to kill her and 2<sup>nd</sup> petitioner brought petrol in a can and handedover to 1<sup>st</sup> petitioner/A1. The 1<sup>st</sup> petitioner inturn poured petrol on the *de facto* complainant and when she tried to

light the match stick, another person by name B.Ranjith interfered. Aggrieved by the said acts of these petitioners, on the next day the present complaint was lodged. The incident occurred on 31.05.2022 and the complaint was lodged on 01.06.2022.

4. Learned counsel for the petitioners submits that a false complaint is registered for the reason of the admitted disputes regarding the house site which was given by the Government. Further, there is no such altercation or pouring of petrol had in fact taken place and the petitioners are falsely implicated for the reason of the said dispute regarding the house site.

5. Learned Assistant Public Prosecutor on instructions would submit that there are no injuries which were received by the *de facto* complainant, however, the intention of the 1<sup>st</sup> petitioner is evident from the fact that she poured petrol on the *de facto* complainant and tried to set her ablaze.

6. In the background of there being an altercation regarding house site patta and admittedly there was no investigation which had taken place at the scene resulting any kind of seizure. However, the police have seized certain material to show that the incident had taken place. Since the seizures were already effected

and there are no injuries as far as the *de facto* complainant is concerned, the petitioners/Accused can be granted the relief of anticipatory bail.

7. Accordingly, the Criminal Petition is allowed and the petitioners/Accused Nos.1 to 3 shall be enlarged on bail in the event of their arrest subject to the following conditions:

i) The petitioners/Accused Nos.1 to 3 are directed to surrender before the Station House Officer, Geesugonda Police Station, Warangal District within one week from today, and on such surrender, they shall be enlarged on bail on their executing personal bonds for a sum of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties to the like sum each, to its satisfaction.

ii) The petitioners/Accused Nos.1 to 3 shall appear before the concerned Station House Officer on every Monday between 10.30 AM and 01.00 PM for a period of three (03) months.

iii) The petitioners/Accused Nos.1 to 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.

Date: 04.07.2022  
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**K.SURENDER, J**