

THE HON'BLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No. 5566 of 2022

ORDER:

This Criminal Petition is filed under Section 438 of Cr.P.C. by petitioner/A10 seeking bail in the event of his arrest in connection with Crime No.34/2022 on the file of Rudrangi Police Station, Rajana Siricilla District, registered for the offences punishable under Section 307, 302, 120-B read with 34 of Indian Penal Code.

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

3. The case of the prosecution is that there are land disputes in between the family members of the deceased and cases are filed both in criminal and civil courts. Ultimately, this petitioner is one of the claimant of the land in the said dispute. It is alleged that on 16.06.2022, Accused No.1 decided to kill the deceased and conspired with Accused Nos.2 to 11 and was waiting for an opportunity to kill the deceased. On 16.06.2022, the deceased went to Rudrangi village on his motorbike and while he was returning, Accused No.1 was waiting in the outskirts of the village with his unnumbered tractor. When the deceased reached the

lands of one Brahmaiah, around 12.20 p.m., Accused No.1 drove the tractor and hit the motorcycle of the deceased in the opposite direction with an intention to kill him. Thereafter, the deceased fell on the road and accident caused instantaneous death.

4. For the reason of the pending disputes amongst the family members, this petitioner is also arrayed as Accused No.10.

5. As seen from the Remand Report and FIR, there are pending civil disputes. However, it is not the case of the prosecution that this petitioner was present in the scene or immediately preceding the incident there was any kind of agreement or abatement to commit such offence.

6. In the said circumstances, this petitioner can be granted the relief of anticipatory bail.

5. Accordingly, the criminal petition is allowed and the petitioner/A10 shall be enlarged on bail in the event of his arrest, subject to the following conditions:

- 1) The petitioner/A10 is directed to surrender before the Station House Officer, Rudrangi Police Station, Rajanna Siricilla District, within a period of 10 days from the date of this order. On such surrender, the said Station House Officer shall release the petitioner/A10 on bail, on his executing 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.

- 2) On such release, the petitioner/A10 shall appear before the said Station House Officer on every day between 10.30 a.m. to 1.00 p.m. for a period of three weeks and thereafter as and when required for the purpose of investigation.
- 3) The petitioner/A10 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.

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

Date :18.07.2022
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K.SURENDER, J

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Dt.18.07.2022

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