

THE HON'BLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No.6060 OF 2022

O R D E R:

This Criminal Petition is filed under Section 438 of Cr.P.C., seeking pre-arrest bail to the petitioners/accused Nos.3 to 5 in the event of their arrest in connection with S.C.No.231 of 2022, pending on the file of IX Additional Metropolitan Sessions Judge, Hyderabad, arising out of the Crime No.267 of 2021 on the file of Banjara Hills Police Station, registered for the offence punishable under Section 307 read with 34 of Indian Penal Code.

2. Heard learned counsel for the petitioners/accused Nos.3 to 5 and learned Assistant Public Prosecutor for the respondent-State. Perused the record.

3. The case of the prosecution is that on 28.03.2021, the *de facto* complainant filed written complaint before the Police, Banjara Hills Police Station, stating that all the accused started quarreling with Imran Khan while he was standing in front of his house and all of sudden, they beat the family members of *de facto* complainant, who came outside the house and tried to stop the quarreling, as a result of which they sustained grievous injuries. Basing on the said complaint, the Police, Banjara Hills Police Station, registered a case in Crime No.267 of 2021 against the accused persons and after completion of

investigation, filed charge-sheet and on committal, the same is numbered as S.C.No.231 of 2022 pending on the file of IX Additional Metropolitan Sessions Judge, Hyderabad. The petitioners herein are accused Nos.3 to 5 in the said case.

4. Learned counsel for petitioners submits that Non-Bailable Warrants are pending against the petitioners herein in S.C.No.231 of 2022.

5. In the event of pendency of Non-Bailable Warrants, it is for the petitioners to approach the concerned Court and seek recalling of warrants under Section 70 of Cr.P.C.. Since the charge-sheet is already filed, in the interest of justice, it is directed that the petitioners herein shall surrender before the IX Additional Metropolitan Sessions Judge, Hyderabad, on or before 20.07.2022. Upon such surrender, the IX Additional Metropolitan Sessions Judge, Hyderabad, shall recall the warrants on conditions to be imposed by the said Court.

Accordingly, the criminal petition is allowed.

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

K.SURENDER, J

Date :13.07.2022

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Dt.13.07.2022

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