

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION No.6731 OF 2022****ORDER:**

This Criminal Petition is filed under Sections 437 and 439 of Code of Criminal Procedure, 1973 (for short "Cr.P.C") seeking regular bail to the petitioner who is arrayed as Accused No.1 in Crime No.136 of 2022 on the file of Station House Officer, Palavantha Town Police Station, Bhadrachali-Kothagudem District, registered for the offences punishable under Sections 307, 294(b), 324 and 506 read with Section 34 of Indian Penal Code.

2. Heard learned counsel for petitioner/Accused No.1 and learned Assistant Public Prosecutor for respondent-State. Perused the record.

3. The case of the prosecution is that a complaint was lodged stating that the Accused Nos.1 and 2 who belong to the same community were residing at the back of their house and there was a quarrel regarding the property prior to the attack and the accused Nos.1 and 2 were warned to restrain from quarreling with the *de facto* complainant's family. On 13.04.2022 the accused Nos.1 and 2 went to the house of the *de facto* complainant and shouted at the

de facto complainant's father and with a view to kill him, Accused No.1 attacked with an axe on the head and Accused No.2 beat his father with a club. Due to the injuries caused by Accused Nos.1 and 2, the *de facto* complainant's father was taken to the hospital as he fell unconscious.

4. Learned counsel for the petitioner submits that there are pending disputes between them and the Accused have nothing to do with the alleged attack on the *de facto* complainant's father.

5. Learned Assistant Public Prosecutor submits that the father of the *de facto* complainant received grievous injuries and that victim was treated and discharged from hospital.

6. As seen from the injury report, the injuries appear to have been caused with an axe by Accused No.1. Pursuant to the order of this Court in Crl.Petition No.5427 of 2022 dated 11.07.2022, the petitioner/Accused No.1 surrendered before the concerned Court on 14.07.2022 and he is in remand.

7. In the said circumstances, the petitioner/Accused No.1 can be granted the relief of bail subject to conditions.

8. Accordingly, the Criminal Petition is allowed and the petitioner/Accused No.1 is granted bail subject to the following conditions:

- i) The petitioner/Accused No.1 shall execute personal bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties for a like sum each to the satisfaction of III Additional Judicial First Class Magistrate at Kothagudem.
- ii) The petitioner/Accused No.1 shall appear before the concerned Station House Officer on every Monday between 10.30 AM and 01.00 PM for a period of two (02) months and thereafter as and when required.
- iii) The petitioner/Accused No.1 shall abide by the other conditions stipulated in Section 437(3) of Cr.P.C.

Miscellaneous applications, pending if any, shall stand closed.

K.SURENDER, J

Date: 04.08.2022

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