

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION No.6955 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 and 2 in the event of their arrest in Crime No.140 of 2022 on the file of Station House Officer, Mandamarri Police Station, Mancheri District registered for the offences punishable under Sections 294(b), 506 and 427 read with Section 34 of Indian Penal Code.

2. Heard learned counsel for the petitioners/Accused Nos.1 and 2 and learned Assistant Public Prosecutor for the respondent-State. Notice served on the 2nd respondent/*de facto* Complainant and learned Assistant Public Prosecutor confirms the said service of notice. Perused the record.

3. The case against the petitioners is that they went to the school of the *de facto* complainant and asked him to provide the documents pertaining to the land in which the school building was erected. When refused it is alleged that these petitioners abused the *de facto* complainant in the name of Caste and threatened with

dire consequences. When the said altercation was being recorded on the mobile phone, the mobile phone was snatched.

4. As seen from the complaint, there was a verbal abuse and it is not specifically mentioned in the complaint that these petitioners knew that the *de facto* complainant belong to SC/ST community and for the said reason he was abused. Since there is no physical assault, these petitioners/Accused Nos.1 and 2 can be granted the relief of anticipatory bail.

5. Accordingly, the Criminal Petition is allowed and the petitioners/Accused Nos.1 and 2 shall be enlarged on bail in the event of their arrest subject to the following conditions:

i) The petitioners/Accused Nos.1 and 2 are directed to surrender before the Station House Officer, Mandamarri Police Station, Mancherla District within ten days from today, and on such surrender, they shall be enlarged on bail on their executing personal bonds for a sum of Rs.25,000/- (Rupees Twenty Five Thousand Only) each with two sureties to the like sum each, to its satisfaction.

ii) The petitioners/Accused Nos.1 and 2 shall appear before the concerned Station House Officer on every Monday and Tuesday between 10.30 AM and 01.00 PM for a period of eight (08) weeks and thereafter as and when required.

iii) The petitioners/Accused Nos.1 and 2 shall abide by the other conditions stipulated in Section 438(2) Cr.P.C.

Miscellaneous applications, pending if any, shall stand closed.

K.SURENDER, J

Date: 17.08.2022
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