

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION No.7121 OF 2022****ORDER:**

This Criminal Petition is filed under Section 438 of Cr.P.C., seeking pre-arrest bail to the petitioner/accused No.3 in the event of his arrest in connection with Crime No.121 of 2020 pending on the file of Maddirala Police Station, Suryapet District, registered for the offences punishable under Sections 147, 148, 326, 323, 341, 504, 506 read with 149 of Indian Penal Code and Sections 3(1)(r)(s), 3(2)(Va) of the Scheduled Casts and Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015.

2. Heard learned counsel for petitioner/accused No.3 and learned Assistant Public Prosecutor for the respondent-State. Perused the record.

3. The case of the prosecution is that on 30.05.2022, when the *de facto* complainant along with four others sitting under Neem tree, accused Nos.1 and 2 came there in drunken state and assaulted the *de facto* complainant, meanwhile, accused No.1 called villagers, who are accused Nos.3 to 10, and all of them in drunken state assaulted the *de facto* complainant.

4. Learned counsel for the petitioner submits that Accused Nos.1, 2 and 4 to 10 have already been released on bail. He further submits that though this petitioner was not present in the scene, due to political rivalry his name was included. However, as seen from the complaint there are no specific overt acts attributed to this petitioner except stating that he is part of the group, which assaulted the *de facto* complainant.

5. In the said circumstances, the petitioner/accused No.3 can be granted the relief of Anticipatory Bail, on the following conditions:

- i) The petitioner/accused No.3 is directed to surrender before the Station House Officer, Maddirala Police Station, Suryapet District, within a period of ten days from today, and on such surrender, he shall be enlarged on bail on his executing a personal bond for a sum of Rs.20,000/- (Rupees Twenty Thousand only) with two sureties to the like sum each, to its satisfaction.
- ii) On such release, the petitioner/accused No.3 shall appear before the said Station House Officer on every Monday between 10.00 a.m. and 5.00 p.m., for a period of two months or till filing of the charge sheet, whichever is earlier.

iii) The petitioner/accused No.3 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.

6. Accordingly, the Criminal Petition is allowed.

Miscellaneous applications, if any pending shall stand closed.

K.SURENDER, J

Date: 17.08.2022
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