

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION No.8011 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.105 of 2022 on the file of Station House Officer, Sarangapur Police Station, Jagtial District registered for the offences punishable under Sections 447, 290, 323 and 506 read with Section 34 of Indian Penal Code and Section 3(1)(r)(s), 3(2)(Va) of SC/ST POA Act-2015.

2. Heard learned counsel for petitioners/Accused Nos.1 and 2 and learned Assistant Public Prosecutor for respondent-State. Learned Assistant Public Prosecutor submits that notice served on the 2nd respondent/complainant. Perused the record.

3. The Sarangapur Police registered the complaint on the basis of a written complaint given by the *de facto* complainant in which she stated that while she was cultivating paddy in her land, the Accused and another trespassed into the land and abused the *de facto* complainant in the name of her caste and also beat her with hands.

4. Learned counsel for the petitioners submits that there are civil disputes pending with regard to the land vide O.S.No.257 of 2021 filed by the 1st petitioner before the Prl.Junior Civil Judge at Jagtial. He also submits that in the said case on 30.07.2021 the Court granted *Status-Quo* order in favour of the petitioners. Thereafter the defendants therein are set exparte.

5. As seen from the record, a civil suit is pending before the concerned Court regarding the said land. In the said circumstances, the petitioners/Accused Nos.1 and 2 can be granted the relief of anticipatory bail.

6. 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, Sarangapur Police Station, Jagtial District within one week from today, and on such surrender, they shall be enlarged on bail on their executing personal bonds for a sum of Rs.20,000/- (Rupees Twenty 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 between 10.30 AM and 01.00 PM for a period of six (06) weeks or till filing of charge sheet whoever is earlier.

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: 14.09.2022
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