

HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

CRIMINAL PETITION No.9807 of 2021

ORDER:

This Criminal Petition under Section 438 Cr.P.C. is filed by petitioners – Accused No.1 and 2 in connection with Crime No.130 of 2021 of Police Station Pulkal, Sanga Reddy District, registered for the offences punishable under Sections 307 r/w 34 of IPC seeking pre-arrest bail.

2. A report was lodged by the *de facto* complainant stating that on 26.09.2021 at 1.05 hours when he along with five family members were erecting fencing around his land, petitioners along with one Pulla Rao and some others came there with axes, knives and chilly powder and tried to kill the complainant and during the scuffle, his village Goundla Satyanarayana Goud sustained grievous injuries. Basing on the said report, the present crime was registered.

3. Heard Sri Erigi Ganesh, learned counsel for petitioners and learned Assistant Public Prosecutor appearing on behalf of respondent-State.

4. Learned counsel for petitioners submits that it is a case and counter case and in fact, petitioners were attacked by complainant and others and they also filed photographs in support of the same. He submits that the complaint which was given by 1st petitioner was registered as Crime No.129 of 2021, whereas the present Crime is 130 of 2021. He submits that petitioners are implicated in this case and petitioner also

sustained injuries, as such their case may be considered for grant of pre-arrest bail.

5. *Per contra*, learned Assistant Public Prosecutor submits that petitioners are accused in several more cases, as such petitioners are not entitled for pre-arrest bail.

6. In reply, learned counsel for petitioners submitted list of cases registered against the petitioners, which are,

- i) Crime No.396 of 2020 of Narsingi (CYB) Police Station.
- ii) Crime No.110 of 2020 under Section 504, 506 of IPC and Section 3 (1)(s), 3 (2) (va) of SC ST Act.
- iii) Crime No.124 of 2021 under Section 419, 420, 467, 468 r/w 34 of IPC.
- iv) Crime No.115 of 2021 under Section 447, 427, 109 r/w 34 of IPC of Pulkal Police Station.

He submits that in all these cases, petitioners have been implicated falsely.

7. Taking into consideration the fact that it is case and counter case, this Court deems it appropriate to grant pre-arrest bail to the petitioners.

8. In the result, criminal petition is allowed and the petitioners / A-1 and A-2 shall be enlarged on bail in the event of their arrest in connection with Crime No.130 of 2021 of Police Station Pulkal, Sanga Reddy District on their executing each a bond for a sum of Rs.20,000/- (Rupees twenty thousand only) with two sureties each for a like sum to the satisfaction of Station House Officer, Police Station Pulkal, Sanga Reddy

District. On such release, petitioners shall appear before the police for every 15 days between 10.00 a.m. and 12.00 p.m. till completion of investigation.

5th January, 2022

PVD

LALITHA KANNEGANTI, J

THE HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

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05.01.2022

PVD