

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION NOS.9120 OF 2022 AND
9117 OF 2022****COMMON ORDER:****Crl.P.No.9120 of 2022**

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 petitioners who are arrayed as Accused Nos.1 and 2 in Crime No.201 of 2022 on the file of Station House Officer, Thangallapalli Police Station, Rajanna-Sircilla District registered for the offences punishable under Sections 143, 354 and 307 read with Section 149 of Indian Penal Code.

Crl.P.No.9117 of 2022

This Criminal Petition is filed under Section 438 of the Code of Criminal Procedure, 1973 seeking pre-arrest bail to the petitioners, who are arrayed as Accused Nos.3, 5 to 9 and 11 to 13 in the event of their arrest in Crime No.201 of 2022 on the file of Station House Officer, Thangallapalli Police Station, Rajanna-Sircilla District registered for the offences punishable under Sections 143, 354 and 307 read with Section 149 of Indian Penal Code.

2. As the crime number in both the criminal petitions is one and the same and the petitioners are Accused Nos.1 to 3, 5 to 9 and 11 to 13 in Crime No.201 of 2022, both the criminal petitions are heard together and disposed off by way of this common order.

3. Heard learned counsel for the petitioners and learned Assistant Public Prosecutor for the respondent-State. Perused the record.

4. The present crime is registered for the reason of 1st petitioner catching hold of the hand of the victim lady, resulting in clashes between the accused family and the family of the victim/LW2. It is alleged that Accused No.1 caught hold of the hand of the victim and asked her to fulfill his sexual desire, for which reason, the altercation ensued. On 31.08.2022 both the groups fought with each other and persons from both the groups received injuries.

5. As seen from the remand report and the complaint, there are no specific allegations against Accused Nos.3, 5 to 9, 11 to 13 except stating that they found into an unlawful assembly and attacked the complainant group. The accused group also filed Crime No.204 of 2022 which was registered by the very same police station. It is case and counter case and arisen out of the alleged act of Accused No.1.

Since the Accused Nos.1 and 2 have been arrested and in jail and the injuries received are simple in nature, the prayer for regular bail of Accused Nos.1 and 2 and the prayer for anticipatory bail of Accused Nos.3, 5 to 9 and 11 to 13 can be considered on conditions.

6. Accordingly, Criminal Petition No.9120 of 2022 is allowed and the petitioners/Accused Nos.1 and 2 are granted bail subject to the following conditions:

i) The petitioners/Accused Nos.1 and 2 shall execute personal bonds for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) each with two sureties for a like sum each to the satisfaction of Principal Judicial First Class Magistrate at Sircilla.

ii) The petitioners/Accused Nos.1 and 2 shall abide by the other conditions stipulated in Section 437(3) of Cr.P.C.

7. The Criminal Petition No.9117 of 2022 is allowed and the petitioners/Accused Nos.3, 5 to 9 and 11 to 13 shall be enlarged on bail in the event of their arrest subject to the following conditions:

i) The petitioners/Accused Nos.3, 5 to 9 and 11 to 13 are directed to surrender before the Station House Officer, Thangallapalli Police

Station, Rajanna-Sircilla 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.10,000/- (Rupees Ten Thousand Only) each with two sureties to the like sum each, to its satisfaction.

ii) The petitioners/Accused Nos.3, 5 to 9 and 11 to 13 shall abide by the other conditions stipulated in Section 438(2) Cr.P.C.

8. The petitioners/Accused Nos.1 to 3, 5 to 9 and 11 to 13 shall appear before the concerned Station House Officer on everyday at 10.30 AM for a period of thirty (30) days and thereafter as and when required for the purpose of investigation.

Miscellaneous applications, if any pending shall stand closed.

K.SURENDER, J

Date: 26.10.2022
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