

HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

CRIMINAL PETITION No.10331 of 2021

ORDER:

This Criminal Petition under Section 438 Cr.P.C. is filed by petitioners – Accused Nos.1 to 4 seeking bail in the event of their arrest in connection with Crime No.111 of 2021 on the file of Thirumalgiri Police Station, Suryapet District, registered for the offences punishable under Sections 326, 323, 504 read with 34 IPC (altered Section of law).

2. The case of prosecution is that the de-facto complainant lodged a report on 05.09.2021 stating that about two months back, A1 dashed her husband with two wheeler bike, for which a case was registered against A1, and keeping that in mind, on 04.09.2021 at about 14.00 hours, when she reached Thirumalagiri Cross road to go to hospital, all the accused came there, picked up quarrel with her, abused her in filthy language and beat her with chappal and when her cousin tried to rescue, the accused beat her, as a result, they sustained injuries.

3. Learned counsel for petitioners Sri S. Prasad Babu, submits that even as per the complaint, there were previous disputes between the petitioner and the de-facto complainant and that a panchayat was also held between them, but the petitioners have been implicated in this case. Learned counsel submits that the entire family are roped into the case and that in fact, the de-facto complainant has picked up a quarrel with the petitioner and in anticipation, the petitioner also lodged a complaint against her. Learned counsel further submits that there is a case and counter case between the parties and hence, their case may be considered for grant of pre-arrest bail.

4. On the other hand, learned Assistant Public Prosecutor submits that as the de-facto complainant has sustained grievous injury, Section of

law was altered and the investigation is pending and so far 3 witnesses were examined and as such, the petitioners are not entitled for pre-arrest bail.

5. Taking into consideration the fact that there are disputes between the petitioner and the de-facto complainant with regard to the same dispute and as there is a case and counter case between the parties and in view of the panchayat held between the parties, this Court deems it appropriate to grant pre-arrest bail to petitioners/A1 to A4.

6. The Criminal Petition is allowed. Petitioners– Accused No.1 to 4 shall surrender before the Station House Officer, Thirumalagiri Police Station, Suryapet District, in connection with Crime No.111 of 2021 within one week from today and on such surrender and executing a personal bond for Rs.20,000/- (Rupees twenty thousand only) each with two sureties for a like sum each to the satisfaction of the said Station House Officer, they shall be released on bail. It is made clear that no further extension of time will be granted.

2nd February, 2022

LALITHA KANNEGANTI, J

sj