

HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

CRIMINAL PETITION No. 58 OF 2022

O R D E R:

This Criminal Petition under Section 438 Cr.P.C. is filed by petitioners – Accused Nos. 7 and 8 seeking bail in the event of their arrest in connection with Crime No. 170 of 2021 on the file of Khanapur Haveli Police Station, Khammam District registered for the offence punishable under Section 307 read with Section 34 IPC.

2. The case of prosecution is that on 25.04.2021, at about 05.00 P.M., when de facto complainant returned to his tent house after completion of door to door election campaign in favour of TRS party, petitioners along with other accused with an intention to kill de facto-complainant, keeping in mind old grudges, took out the knife and tried to catch de facto complainant and when de facto complainant raised hue and cry, neighbours came there and petitioners kept the knife with them and beat de facto complainant on his head with iron rod and caused injury.

3. Learned counsel for petitioners Sri P.V.L. Bhanu Prakash submits that petitioners are unconnected with the alleged offence and they have been implicated in this case falsely. He submits that even as per the statement of complainant, there are no specific overt acts against these petitioners. It is submitted that Accused No.1 has already been

granted regular bail, hence, the case of these petitioners may be considered for grant of pre-arrest bail.

4. Learned Assistant Public Prosecutor submits that along with Accused No.1, petitioners also went to the place of offence, as such, there are allegations against them also. He submits that so far, nine witnesses were examined and investigation is still pending. It is submitted that merely because Accused No.1 was enlarged on regular bail, petitioners are not entitled for grant of pre-arrest bail.

5. Looking at the allegations and the statement of the complainant, it appears that there are no specific overt acts against these petitioners. Hence, this Court deems it appropriate to grant pre-arrest bail to petitioners.

6. Accordingly, this Criminal Petition is allowed. Petitioners – Accused Nos. 7 and 8 shall surrender before the Station House Officer, Khanapur Haveli Police Station in connection with Crime No. 170 of 2021 within one week from today and on such surrender and on each of them executing a personal bond for Rs.20,000/- (Rupees twenty thousand only) 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.

LALITHA KANNEGANTI, J

17th January 2022

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