

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION No.9519 OF 2022****ORDER:**

This Criminal Petition is filed under Sections 437 and 439 of Code of Criminal Procedure (for short "Cr.P.C") seeking regular bail to the petitioner who is arrayed as Accused No.10 in Crime No.276 of 2022 pending on the file of Station House Officer, Khammam Rural Police Station, Khammam registered for the offences punishable under Sections 147, 148, 302, 120(b) and 341 read with 149 of Indian Penal Code (for short "IPC") and Section 25 of Indian Arms Act, 1959.

2. Heard learned counsel for the petitioner/Accused No.10 and learned Additional Public Prosecutor for the respondent-State. Perused the record.

3. On the basis of the complaint filed by the son of the deceased, the present crime was registered. It is alleged in the complaint that the father of the *de facto* complainant was working in TRS political party. The opposition party persons who are the accused, hatched a plan to eliminate his father. On 15.08.2022, the deceased after hoisting the national flag, was returning to his

village on a bike, pursuant to their planning, the accused who were travelling in an auto and bikes dashed the bike of the deceased and when he fell down, he was attacked with weapons, knives, hunting sickles, axes, etc.

4. On the basis of the said information, the police arrested Accused Nos.1 to 8. In their remand report dated 19.08.2022, Accused No.9 and Accused No.10 who is the petitioner were shown as absconding. According to the remand report, there was a criminal conspiracy amongst the accused, for which reason they formed into an unlawful assembly and keeping track of the deceased while he was coming back to his village after hoisting the national flag, he was stopped and attacked with deadly weapons resulting in his death.

5. On the basis of instructions, learned Additional Public Prosecutor would submit that this petitioner was defeated when he contested against the wife of the deceased, for which reason he bore grudge against the deceased.

6. Even as per the remand report, there are no specific allegations attributed to this petitioner. The remand report further

reads that it was Accused No.9 who has given money to Accused No.1 and others to eliminate the deceased.

7. For the reason of there being no specific overtacts attributed to this petitioner, this petitioner can be granted the relief of regular bail.

8. Accordingly, the Criminal Petition is allowed and the petitioner/Accused No.10 is granted bail subject to the following conditions:

i) The petitioner/Accused No.10 is directed to be released on bail on his executing personal bond for a sum of Rs.50,000/- (Rupees Fifty Thousand only) with two sureties each for a like sum, to the satisfaction of II Additional Judicial First Class Magistrate at Khammam.

ii) After release on bail, the petitioner/Accused No.10 shall appear before the concerned police station on every Monday and Thursday between 10.00 A.M to 1.00 P.M, for a period of eight (08) weeks and thereafter as and when required for the purpose of investigation.

iii) The petitioner/Accused No.10 shall abide by the other conditions stipulated in Section 437(3) of Cr.P.C.

Miscellaneous applications, pending if any, shall stand closed.

Date: 04.11.2022
ns/rev

K.SURENDER, J