

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION No.9689 OF 2022****ORDER:**

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.1 and 2 in the event of their arrest in FIR No.704 of 2022 on the file of Station House Officer, Pet Basheerabad Police Station, Cyberabad District, registered for the offences punishable under Sections 307, 447, 509 read with 34 of Indian Penal Code ("for short IPC").

2. Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the respondent-State. Perused the record.

3. The case against the petitioners is that on 29.08.2022, these petitioners attacked the *de facto* complainant and others, resulting in grievous injuries to the *de facto* complainant.

4. The learned counsel for the petitioners submits that there are pending civil disputes between the parties and both the parties have been agitating before the Civil Court and also the High Court to

safeguard their rights in the property. Though, there is a restraint order by the Civil Court, the *de facto* complainant and others have trespassed into the premises resulting in the altercation. The case and counter case were filed on the very same incident.

5. Keeping in view that there are allegations and counter allegations and also the claim is regarding the very same land, these petitioners can be granted the relief of anticipatory bail.

6. Accordingly, the Criminal Petition is allowed and the petitioner/Accused No.1 and 2 shall be enlarged on bail in the event of their arrest subject to the following conditions:

i) The petitioners/Accused No.1 and 2 are directed to surrender before the Station House Officer, Pet Basheerabad Police Station, Cyberabad District within ten (10) days from today, and on such surrender, they shall be enlarged on bail on their executing personal bond for a sum of Rs.50,000/- each (Rupees Fifty Thousand Only) with two sureties to the like sum each, to its satisfaction.

ii) On such release, the petitioner-Accused No.1 shall appear before the concerned Station House Officer every day for a period of for two (02) weeks and thereafter as and when required for the

purpose of investigation and Accused No.2 shall appear before the concerned Police Station as and when required.

iii) The petitioners/Accused Nos.1 and 2 shall abide by the other conditions stipulated in Section 438(2) Cr.P.C.

Miscellaneous applications, if any, pending shall stand closed.

Date: 10.11.2022
rev/mnv

K.SURENDER, J