

HONOURABLE SRI JUSTICE M.LAXMAN

CRIMINAL PETITION NO.4713 OF 2023

ORDER :

The present application under Section 438 Cr.P.C is filed by the petitioner/accused seeking anticipatory bail in the event of his arrest in connection with Crime No.26 of 2023 of Bheempur Police Station, Adilabad District, registered for the offence punishable under Section 307 IPC.

2. The case of the prosecution is that on 07.05.2023 at about 9pm, the injured along with his friends went to water tank located outside the village, the petitioner/accused keeping in mind the old rivalry, came to him and abused and took out a knife from his pocket and kept on the neck of the injured and when he tried to escape, he received injuries on right hand fingers. Thereafter, he undertook treatment in RIMS Hospital, Hyderabad and such attack was made in order to kill the injured.

3. Learned counsel for the petitioner contended that false allegations were made only to attract Section 307 IPC, in fact, there is no intention to the petitioner to cause the death of the injured.

4. Learned Additional Public Prosecutor opposed the bail.

5. As seen from the contents of the complaint, if the accused is having any intention to make an attempt to murder, he would not keep the knife on neck and this circumstance itself shows that no serious offence is made out unless this can be decided only on further investigation conducted. Considering the nature of allegations and

alleged injuries received by the complainant, this court is inclined to grant anticipatory bail to the petitioner/accused on certain terms.

6. Accordingly, the Criminal Petition is allowed on the following terms and conditions:

- (i) The petitioner - accused is directed to surrender before the Station House Officer, Bheempur Police Station, Adilabad District, within a period of fifteen days from today and on such surrender, the petitioner shall be released on bail on his executing personal bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties for a like sum each to the satisfaction of the same Station House Officer.
- (ii) that the petitioner/accused shall appear before the concerned SHO on every Saturday between 8.00 am to 8.00 pm for a period of six months or till filing of the charge sheet, whichever is earlier.
- (iii) that the petitioner/accused shall not tamper with the prosecution witnesses.
- (iv) that the petitioner/accused shall co-operate with the investigating agency.
- (v) that the petitioner/accused shall not misuse the liberty granted to him.

25.05.2023
gvl/mmr

JUSTICE M. LAXMAN