

THE HONOURABLE SRI JUSTICE M.LAXMAN

CRIMINAL PETITION No.4726 OF 2023

ORDER:

This Criminal Petition is filed under Section 438 of Cr.P.C., seeking pre-arrest bail to the petitioners/accused Nos.4 and 5 in the event of their arrest in connection with Crime No.231 of 2023 of Patancheru Police Station, Sangareddy District, registered for the offences punishable under Sections 341, 363, 324, 326, 342, 504, 506 read with Section 34 of Indian Penal Code.

2. The case of the prosecution is that on 02.04.2023 while the *de facto* complainant-victim selling the fruits, there was a quarrel took place between the victim and accused No.1 with regard to the price of fruits and subsequently, accused No.1 called his friends, who are accused Nos.2 to 7 and when they came, accused No.1 beat the victim with rod and other accused assisted accused No.1 and they all took the victim to Water Tank and confined him and poured liquor into his mouth forcibly.

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

4. Learned counsel for the petitioners submits the petitioners are innocents of the alleged offences and a false case was foisted

against the petitioners without there being any iota of truth in the allegations levelled against the petitioners. He further submits that the petitioners are students and the entire investigation is completed and nothing remained except filing the final report. Hence, prayed to grant anticipatory bail to the petitioners.

5. Learned Additional Public Prosecutor opposed the bail on the ground that the investigation is still pending.

6. A perusal of the record would disclose that it is accused No.1, who allegedly beat the victim and there are no specific overt acts attributed against the petitioners.

7. In the said circumstances, considering the age and occupation of the petitioners, the request of the petitioners can be considered on the following conditions:-

- i) The petitioners/accused Nos.4 and 5 are directed to surrender before the Court concerned, within two weeks from the date of receipt of a copy of this order. On such surrender, they shall be enlarged on bail, on their executing a personal bond for a sum of Rs.45,000/- (Rupees Forty Five Thousand only) each with two sureties in a like sum each to the satisfaction of the Court concerned.

- ii) On such release, the petitioners/accused Nos.4 and 5 shall appear before the concerned Station House Officer on every Saturday between 10.00 A.M. and 05.00 P.M, for a period of two months.
 - iii) In case, the petitioners/accused Nos.4 and 5 hold passports, they are directed to surrender the same before the Court concerned.
 - iv) The petitioners/accused Nos.4 and 5 shall abide by the other conditions stipulated in Section 438(2) of Cr.P.C and shall co-operate with the Investigating Officer in investigating the case.
8. Accordingly, the Criminal Petition is allowed.

M.LAXMAN, J

25th May, 2023.
svl/ms

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Date:25.05.2023

svl/ms