

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION No.4899 OF 2023****ORDER:**

This Criminal Petition is filed under Section 438 of the Code of Criminal Procedure, 1973, seeking bail to the petitioner who is arrayed as accused No.5, in the event of his arrest in Crime No.156 of 2023 pending on the file of Station House Officer, Moinabad Police Station, Cyberabad, filed for the offences punishable under Sections 307, 447, 427 and 506 read with Section 120(b) of Indian Penal Code.

2. Heard learned counsel for petitioner and learned Additional Public Prosecutor for respondent-State. Perused the record
3. The *de facto* complainant filed a complaint on 10.05.2023 alleging that several persons including this petitioner has trespassed into his property and caused injuries to six persons and some of them have received grievous injuries. The reason for attack is on account of disputes regarding the said land.
4. Learned counsel appearing for the petitioner would submit that the petitioner was falsely implicated though he was not present

at the scene. In proof of the same, he has filed flight ticket which shows that the petitioner had travelled from Vijayawada to Delhi on 06.05.2023 and from there to Rajasthan by car. The purpose of petitioner's travel to Rajasthan was for going to Ajmer Dargah.

5. On instructions, learned Additional Public Prosecutor would submit that it is not clear regarding the persons present at the scene since there were about 60-70 persons.

6. In the said circumstances, the petitioner can be granted the relief of anticipatory bail and he shall be enlarged on bail in the event of his arrest subject to the following conditions:

i) The petitioner – accused No.5 is directed to surrender before the Station House Officer, Moinabad Police Station, Cyberabad, on 26.06.2023, and on such surrender, he shall be enlarged on bail on his executing personal bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand Only) with two sureties to the like sum each, to its satisfaction.

ii) The petitioner - accused No.5 shall appear before the concerned Station House Officer on every Sunday between 10.30 AM and 01.00 PM for a period of eight (8) weeks and shall appear

before the investigating authorities as and when required for the purpose of investigation.

iii) The petitioner - accused No.5 shall abide by the other conditions stipulated in Section 438(2) Cr.P.C.

iv) In the event of the flight ticket and telephone bill filed by the petitioner being found to be false, the police are at liberty to seek cancellation of the bail granted to petitioner.

7. Accordingly, the criminal petition is allowed.

As a sequel thereto, miscellaneous applications, if any pending, shall stand closed.

Date: 21.06.2023
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K.SURENDER, J