

THE HON'BLE SRI JUSTICE M.LAXMAN

CRIMINAL PETITION No.5136 of 2023

ORDER:

1. This petition is filed seeking anticipatory bail under Section 438 of Criminal Procedure Code, 1973 (Cr.P.C). The petitioner is accused No.2 in Crime No.78 of 2023 of Sanga Reddy Town Police Station, Sanga Reddy District. The offences alleged against the petitioner are Section 324 read with 34 of Indian Penal Code.

2. The sum and substance of case of the prosecution is that there are previous disputes between injured and accused No.1. the injured allegedly burned the car of accused No.1 and later the case was ended in compromise. Unsatisfied with the compromise accused No.1 along with other accused including present petitioner allegedly attacked the complainant with cricket bats and wickets and caused injuries over the head, shoulder and other places of whole body. The other accused enlarged by regular bail. The allegation shows that the petitioner was part of unlawful assembly/share the common intention and there is no specific over tact against the petitioner.

3. Learned counsel for the petitioner stated that the petitioner has not committed any offence as alleged by the prosecution and a false case has been foisted against him.

4. Learned Additional Public Prosecutor appearing for the respondents opposed to grant anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case and considering the fact that other accused were already enlarged on bail, this Court is inclined to grant bail on certain conditions.

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

- (i) The petitioner/accused No.2 is enlarged on bail in the event of his arrest in connection with FIR No.78 of 2023 on the file of the Station House Officer, Sanga Reddy Town Police Station, Sanga Reddy District, on executing his personal bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties to the like sum each to the satisfaction of concerned Station House Officer.
- (ii) The petitioner/accused No.2 shall appear before the Station House Officer, Sanga Reddy Town Police Station, Sanga Reddy District on every Sunday between 10.00 am and 05.00 pm, for a period of two months.

- (iii) The petitioner/accused No.2 shall abide by the other conditions stipulated in Section 438 (2) Cr.P.C and co-operate with the Investigating Officer in investigating the case.

20.06.2023
Dua/Prn

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