

THE HONOURABLE SRI JUSTICE M.LAXMAN

CRIMINAL PETITION NO.5652 OF 2023

ORDER :

1. This petition is filed under Section 438 of Criminal Procedure Code, 1973 (Cr.P.C) seeking anticipatory bail to the petitioners, who are accused Nos.3 and 6 in Crime No.181 of 2023 of Narsampet Police Station, Warangal District. The offence alleged against the petitioners are under Sections 143, 290, 447, 427, 386, 324 and 506 read with Section 149 of the Indian Penal Code.

2. The sum and substance of case of the prosecution is that accused No.1 and his sister both are claiming the subject land on the basis of Will Deed and there are civil suits pending in this regard.

3. The allegation is that on the alleged date of incident when the victim was in her land and ploughing the same with the Tractor Dozer, all the accused allegedly attacked on the complainant with sticks and stones and took away the Tractor Dozer.

4. The contention of the learned counsel for the petitioners is that on account of some disputes with the Sub-Inspector, the graver offence of Section 386 of IPC is invoked without there any foundation. It is also his contention that there are civil disputes pending.

5. Learned Additional Public Prosecutor opposed the bail application.

6. Admittedly, the subject land where the incident occurred is in dispute and both parties claiming under different set of Wills. The victim obtained a direction from this Court exparte and obtained mutation. Subsequently, the petitioner also filed a writ petition for staying such mutation. In the background of the civil disputes, this Court is inclined to grant bail to the petitioners - Accused Nos.3 and 6.

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

- (i) The petitioners-accused Nos.3 and 6 are enlarged on bail in the event of their arrest in connection with FIR No.181 of 2023 on the file of the Station House Officer, Narsampet Police Station, Warangal District on their executing a personal bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) each with two sureties to the like sum each to the satisfaction of concerned Station House Officer.
- (ii) The petitioners-accused Nos.3 and 6 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.

JUSTICE M. LAXMAN

Date: 03.07.2023
pld/ns

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