

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No.7175 OF 2023

ORDER:

This Criminal Petition is filed under Section 438 of the Code of Criminal Procedure, 1973, seeking bail to the petitioners who are arrayed as accused Nos.1 to 5 in the event of their arrest in Crime No.59 of 2023 pending on the file of Station House Officer, Indrakaran Police Station, Sangareddy District, filed for the offence punishable under Section 307 read with Section 34 of the Indian Penal Code.

2. The prayer for anticipatory bail as far as petitioner No.3 – accused No.3 is dismissed, as he was arrested and remanded to judicial custody on 07.08.2023.

3. Heard learned counsel for the petitioners – accused Nos.1, 2, 4 and 5 and learned Additional Public Prosecutor for respondent-State. Perused the record.

4. The case of the prosecution is that on 13.07.2023, the *de facto* complainant conducted Bonalu festival. When the *de facto* complainant and his friends gathered at his house, these petitioners

in a drunken condition have beaten and tried to kill *de facto* complainant. In the said fight, *de facto* complainant lost his tooth.

5. Admittedly, it was a drunken brawl between two groups on the festival day. The injury received by the *de facto* complainant is not on any vital part of the body. For the said reason, the petitioners – accused Nos.1, 2, 4 and 5 can be granted the relief of anticipatory bail and they shall be enlarged on bail in the event of their arrest subject to the following conditions:

i) The petitioners – accused Nos.1, 2, 4 and 5 are directed to surrender before the Station House Officer, Indrakaran Police Station, Sangareddy District, on 11.08.2023, and on such surrender, they shall be enlarged on bail on their executing personal bond for a sum of Rs.25,000/- each (Rupees Twenty Five Thousand Only) with two sureties to the like sum each, to its satisfaction.

ii) The petitioners - accused Nos.1, 2, 4 and 5 shall appear before the concerned Station House Officer on everyday at 10.00 AM till 24.08.2023 and thereafter as and when required by the investigating authority for the purpose of investigation.

iii) The petitioners - accused Nos.1, 2, 4 and 5 shall abide by the other conditions stipulated in Section 438(2) Cr.P.C.

6. Accordingly, the Criminal Petition is allowed.

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

Date: 09.08.2023
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K.SURENDER, J