

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No.7341 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.12 in the event of his arrest in Crime No.244 of 2023 pending on the file of Station House Officer, Kodad Town Police Station, Suryapet District, filed for the offences punishable under Sections 120(b) and 307 of the Indian Penal Code.

2. Heard learned counsel for petitioner and learned Additional Public Prosecutor for respondent-State. Perused the record

3. The case of the prosecution is that this petitioner has engaged the services of accused Nos.1 to 3 to kill the *de facto* complainant for the amount provided by other accused. Pursuant to the plan, accused Nos.1 to 3 caused an accident to the car of *de facto* complainant by hitting with a DCM Van.

4. Learned counsel appearing for the petitioner would submit that during the course of investigation, accused Nos.1 to 3, 5, 6, 8 to 11 were arrested and released on bail. He further submits that a

false case has been made up against this petitioner and the petitioner has nothing to do with the alleged conspiracy to commit murder of *de facto* complainant.

5. As seen from the remand report, the allegation made against this petitioner is on the basis of confession of other accused. Apart from the said confession, there is no other evidence which is collected by the police.

6. Keeping in view that no serious injuries were received by the *de facto* complainant and nothing was recovered from this petitioner, this 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.12 is directed to surrender before the Station House Officer, Kodad Town Police Station, Suryapet District, on 14.08.2023, and on such surrender, he shall be enlarged on bail on his executing personal bond for a sum of Rs.50,000/- (Rupees Fifty Thousand Only) with two sureties to the like sum each, to its satisfaction.

ii) The petitioner - accused No.12 shall appear before the concerned Station House Officer on every day at 10.00 AM till 31.08.2023 and thereafter as and when required for the purpose of investigation.

iii) The petitioner - accused No.12 shall abide by the other conditions stipulated in Section 438(2) Cr.P.C.

7. Accordingly, the Criminal Petition is allowed.

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

Date: 10.08.2023
dsv/mmr

K.SURENDER, J