

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION No.8243 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.7 and 8 in the event of their arrest in Crime No.1057 of 2023 pending on the file of Station House Officer, Meerpet Police Station, Rachakonda, filed for the offences punishable under Sections 147, 148, 341, 323, 302 and 506 read with Section 149 of the Indian Penal Code and Section 3(2)(V) of the SC/ST (POA) Act, 1989 and Sections 25(1)(a) and 27 of the Arms Act.

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

3. The facts of the case are that when deceased along with LW6 and LW7 were carrying beer bottles, accused asked them to give beer bottles, which they refused. When the accused tried to take the beer bottles, deceased objected the acts of accused, on that accused Nos.1 and 2 followed them and picked up quarrel and abused in filthy language, accused No.1 stabbed the deceased, as a

result, he sustained severe injuries and died while undergoing treatment.

4. A perusal of the entire remand report of other accused persons would reveal that only the presence of these petitioners-accused Nos.7 and 8 is mentioned. However, apart from stating that they were squatting at the place, no overacts are attributed to them.

5. For the said reasons, the petitioners 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.7 and 8 are directed to surrender before the Station House Officer, Meerpet Police Station, Rachakonda, on 08.09.2023, and on such surrender, they shall be enlarged on bail on their executing personal bond for a sum of Rs.20,000/- (Rupees Twenty Thousand Only) with two sureties each to the like sum each, to its satisfaction.

ii) The petitioners - accused Nos.7 and 8 shall appear before the concerned Station House Officer on everyday at 10.00 AM from 08.09.2023 to 22.09.2023 and thereafter, they shall appear before

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

iii) The petitioners - accused Nos.7 and 8 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: 05.09.2023
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K.SURENDER, J