

THE HON'BLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No.8276 of 2023

ORDER:

This Criminal Petition is filed under Section 438 of Cr.P.C. by the petitioners/Accused Nos. 1 and 2 seeking bail in the event of their arrest in connection with Crime.No.140 of 2023 on the file of Wanaparthy Town Police Station, Wanaparthy District registered for the offences under Sections 324 and 504 read with 34 of IPC.

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

3. The petitioners are seeking the relief anticipatory bail. On the basis of the complaint of the father of the victim, the case was registered under Sections 324 and 504 of I.P.C., however, the section of law was altered to 326 of IPC.

4. Briefly, the case against the petitioners is that they have beaten the son of the *de facto* complainant in the agricultural fields. The 1st petitioner had infact called one person namely Srikanth and informed him that he had beaten the victim and he was lying in the agricultural field. Accordingly, the father and mother of the victim went to the agricultural field and found him

with blood injuries. On the same day evening the 1st petitioner called the *de facto* complainant and stated that the victim was harassing his daughter, for which reason petitioner Nos.1 and 2 have beaten the victim.

5. Learned counsel appearing for the petitioners would submit that for the acts of the victim there was a panchayat which was held before the elders. The victim was harassing the wife of the 1st petitioner and also his daughter. On 03.05.2023 an undertaking was given by the victim, the *de facto* complainant and others stating that the victim will not interfere with the family affairs of the 1st petitioner and will not go near the wife and daughter of the 1st petitioner. In the said undertaking it is further stated that he was sorry for beating the wife of the 1st petitioner.

6. On instructions, the learned Additional Public Prosecutor would submit that the victim was treated and discharged from the hospital.

7. Admittedly, there are disputes in between the parties. Earlier also for the reason of the victim harassing the wife and daughter of the 1st petitioner a panchayat was held.

8. Keeping in view of the previous disputes between the parties, this Court deems it appropriate to grant the relief of

anticipatory bail to the petitioners/accused Nos.1 and 2 subject to the following conditions:

- 1) The petitioners/Accused Nos.1 and 2 are directed to surrender before the Station House Officer, Wanaparthy Town Police Station, Wanaparthy District on 11.09.2023. Upon such surrender, the said Station House Officer shall release the petitioners/Accused Nos.1 and 2 on bail, on their executing personal bond for a sum of Rs.20,000/- (Rupees Twenty Thousand only) each with two sureties for a like sum each to his satisfaction.
 - 2) On such release, the petitioners/Accused Nos.1 and 2 shall appear before the concerned Police every Monday and Wednesday for a period of eight weeks at 10.00 AM or until the charge sheet is filed, whichever is earlier.
 - 3) The petitioners/Accused Nos.1 and 2 shall abide by the other conditions stipulated in Section 438(2) of Cr.P.C and shall co-operate with the Investigating Officer in investigating the case.
9. Accordingly, the Criminal Petition is allowed. Miscellaneous applications, if any pending in this criminal petition, shall stand closed.

06.09.2023
gkv/dgr

K.SURENDER, J

THE HON'BLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No. 8276 of 2023
Dt.06.09.2023

gkv/dgr