

THE HON'BLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No.8614 of 2023

ORDER:

1. This Criminal Petition is filed under Section 438 of Cr.P.C. by the petitioners/Accused Nos.1 to 6 seeking bail in the event of their arrest in connection with Crime No.110 of 2023 on the file of Peddakothapally Police Station, Nagarkurnool, registered for the offences under Sections 436 and 109 r/w. 34 of IPC.
2. Heard learned counsel for the petitioners and learned Assistant Public Prosecutor for the respondent-State and perused the record.
3. The petitioners are seeking the relief of anticipatory bail. The *de-facto* complainant lodged a complaint stating that on 11.08.2023, his house was burnt by some villagers and it was burning. On receiving the information, he went to the house on the next day i.e., on 12.08.2023 and noted that his house was burnt completely. In the said house, there was jewelry, which was completely burnt down. The *de-facto* complainant suspects that these petitioners were responsible for burning down his house keeping earlier differences in mind.

4. Learned counsel appearing for the petitioners would submit that there are political differences between two different political parties. The present complaint is filed only to take revenge regarding earlier complaint that was filed against the *de-facto* complainant under Section 302 of IPC.

5. Learned Additional Public Prosecutor does not dispute that the *de-facto* complainant was involved in the offence under Section 302 of IPC. Further, it is not disputed that the basis of implication of these petitioners is suspicion and there are no eye-witnesses to the incident.

6. Since the implication of these petitioners is only on the basis of suspicion and there are no eye-witnesses to the incident, the petitioners can be granted anticipatory bail, subject to the following conditions:

- 1) The petitioners/Accused Nos.1 to 6 are directed to surrender before the Station House Officer, Peddakothapally Police Station, Nagarkurnool District, on 19.09.2023. On such surrender, the said Station House Officer shall release the petitioners on bail, on their executing personal bond for a sum of Rs.20,000/- (Rupees Twenty thousand only) with two sureties for a like sum each to his satisfaction.
- 2) On such release, petitioners/Accused Nos.1 to 6 shall appear before the concerned Station House Officer at

10.00 A.M everyday for a period of three weeks, for the purpose of investigation and thereafter, as and when required.

- 3) The petitioners/Accused Nos.1 to 6 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.

7. Accordingly, this Criminal Petition is allowed. Miscellaneous applications, if any pending in this criminal petition, shall stand closed.

Date : 14.09.2023
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K.SURENDER, J

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Dt.14.09.2023

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