

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No.9024 OF 2023

ORDER:

This Criminal Petition is filed under Section 438 of the Code of Criminal Procedure, 1973 (for short 'Cr.P.C.') seeking bail to the petitioner-accused No.1 in the event of his arrest in Crime No.224 of 2023 pending on the file of Station House Officer, Chivvelma Police Station, Suryapet District. The offences alleged against the petitioner are punishable under Sections 447, 323, 386 and 506 of Indian Penal Code.

2. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the respondent – State.

3. Learned Senior Counsel appearing for the petitioner would submit that this Court by order dated 11.09.2023 has dismissed Criminal Petition No.8338 of 2023 which was filed by this petitioner seeking anticipatory bail. He further submits that there are changed circumstances i.e., accused No.2 who was alleged to have been part of the group along with this petitioner went to the premises of *de facto* complainant was in fact hospitalized;

undergoing treatment and was operated upon and that the *de facto* complainant himself is an accused in the crime registered for an offence punishable under Section 307 of IPC.

4. The said grounds cannot be made basis to pass orders in so far as this petitioner-accused No.1 is concerned and the said aspects can as well be investigated and ascertained by the Investigating Officer during the course of investigation. In the event of petitioner-accused No.1 filing an application seeking bail before the concerned Court, the Court below shall dispose off the same on the very same day or at the most next day, after hearing arguments on both sides.

5. Accordingly, the Criminal Petition is disposed off.

Miscellaneous applications pending, if any, shall stand closed.

Date: 19.09.2023
rev

K.SURENDER, J