

THE HON'BLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No.9211 of 2023

ORDER:

1. This Criminal Petition is filed under Section 438 of Cr.P.C. by the petitioner/Accused seeking bail in the event of his arrest in connection with Crime No.95 of 2023 on the file of Khanapur Police Station, Nirmal District, registered for the offences under Sections 323, 324 and 326 of IPC.
2. Heard learned counsel for the petitioner and learned Assistant Public Prosecutor for the respondent-State and perused the record.
3. The wife of the victim lodged a complaint stating that her husband and the petitioner herein came home in a drunken condition and altercation ensued. Her husband was beaten with an iron rod and stones. The cell phone of the *de-facto* complainant was also thrown at the injured.
4. Learned counsel appearing for the petitioner would submit that the petitioner had nothing to do with the alleged incident and he is falsely implicated. As seen from the complaint, both, the petitioner and the victim were drunk resulting in altercation.

5. Learned Additional Public Prosecutor on instructions would submit that the victim received one grievous injury and one simple injury.

6. Keeping in view that the incident had taken place after both of them consumed alcohol, the petitioner can be granted the relief of anticipatory bail subject to the following conditions:

- 1) The petitioner/Accused is directed to surrender before the Station House Officer, Khanapur Police Station, Nirmal District, on 29.09.2023. On such surrender, the said Station House Officer shall release the petitioner on bail, on his 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, petitioner/Accused 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 petitioner/Accused 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 : 26.09.2023
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K.SURENDER, J

THE HON'BLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No.9211 of 2023
Dt.26.09.2023

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