

**THE HONOURABLE Dr. JUSTICE D. NAGARJUN**

**CRIMINAL PETITION No.11783 OF 2022**

**ORDER:**

This Criminal Petition is filed by the petitioner/accused No.1 under Section 439 of the Criminal Procedure Code seeking regular bail in Crime No.346 of 2021 of Station House Officer, Rajendranagar Police Station, registered for the offence under Section 307 read with Section 34 of the Indian Penal Code, and the same has been numbered as PRC No.38 of 2022.

2. Heard Sri MD Arshad Khan, learned counsel for the petitioner/accused No.1 as well as Sri T.V. Ramana Rao, learned Additional Public Prosecutor for the Respondent / State and perused the record.

3. The case of the prosecution is that the accused who is a rowdy sheeter against whom many case are pending and on 05.03.2021 the de-facto complainant filed a written complaint stating that on 04.03.2021 during night hours at about 04:30 AM., some persons entered into their house and broke open the doors, on which his elder brother shouted on

which the de-facto complainant and others woke up and on verification found the culprits have broke the glasses of the auto which was parked outside and caused damage of property. On enquiry, they came to know that the petitioner/accused No.1 and others entered their house in the night hours on account of old disputes between them and caused damages. On the following day, when the de-facto complainant was returning from Namaz the accused chased him with knife caused injuries to the de-facto complainant and ran away.

4. It is submitted by the learned counsel for the petitioner No.1 that the petitioner has been in judicial custody since 22.04.2021 and that the investigation is completed and charge sheet is also filed and the same has been numbered as P.R.C.No.38 of 2022.

5. Learned Additional Public Prosecutor for the State / Respondent submitted that there are number of cases pending against the petitioner in Crime Nos.760 of 2017, 765 of 2017, 770 of 2017, 899 of 2017, 1115 of 2017, 1133 of 2017, 1245 of 2017, 208 of 2016, 172 of 2018, 481 of 2018

and therefore sought for rejection of bail.

6. As seen from the record, the investigation has already been completed and the injury sustained by the de-facto complainant is on leg of the de-facto complainant and thereby it is not fatal injury. The petitioner has filed copies of documents to show that in six cases the petitioner was not found guilty and was acquitted. It appears that there are disputes between the parties and having number of other cases filed against the petitioner.

7. Considering the facts and circumstances of the case, this is a fit case for grant of regular bail to the petitioner/accused No.1 on conditions.

8. Accordingly, the Criminal Petition is allowed and the petitioner / accused No.1 is granted bail subject to the following conditions:

i) The petitioner / accused No.1 is directed to be released on bail on his executing personal bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties each having immovable properties in the local area, for a like sum to the satisfaction of XIV Additional

Metropolitan Magistrate at Rajendranagar.

ii) On such release, the petitioner/accused No.1 shall appear before the Station House Officer, Rajendranagar Police Station on every Monday and Friday between 10:00 AM to 12:00 PM., until further orders and thereafter as and when required for the purpose of investigation.

iii) The petitioner/accused No.1 is directed not to threaten the witnesses in any manner.

iv) The petitioner/accused No.1 shall abide by the other conditions stipulated in Section 437(3) of the Criminal Procedure Code.

As a sequel, pending Miscellaneous Applications in this matter, if any, shall stand closed.

Date: 04-Jan-2023  
KHRM

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**DR. D.NAGARJUN, J**



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