APHC010250482024

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI **[3327]**
(Special Original Jurisdiction)

THURSDAY, THE TWENTY SEVENTH DAY OF JUNE
TWO THOUSAND AND TWENTY FOUR

PRESENT

THE HONOURABLE SRI JUSTICE K SREENIVASA REDDY

CRIMINAL PETITION NO: 3963/2024

Between:

Ketha Bharath Venkata Sudheer @ Pedda Ketha **...PETITIONER/ACCUSED**

AND

The State Of Andhra Pradesh **...RESPONDENT/COMPLAINANT**

Counsel for the Petitioner/accused:

1. DUGGIRALA SUBASH

Counsel for the Respondent/complainant:

1. PUBLIC PROSECUTOR

The Court made the following Order:

This Criminal Petition, under Sections 437 and 439 of Cr.P.C., has been filed by the petitioner herein/A1, seeking regular bail, in Crime No.308 of 2023 of Dowaleswaram Police Station, East Godavari District.

2. A case in Crime No.308 of 2023 of Dowleswaram Police Station has been registered against the petitioner herein/A1 and other accused for the offences punishable under Sections 341,

324 and 386 read with 34 of the Indian Penal Code, 1860 (for brevity 'IPC').

3. Case of the prosecution, in brief, is that, the *de facto* complainant *viz.* Jyothula Maniratnam is resident of Dowleswaram and working in Horlicks Factory. On 24.11.2023 at about 10.15 PM when the *de facto* complainant was going by his motorcycle, to his mother's house, situated at Janardhana Swamy Colony, petitioner herein/A1, along with three other accused persons, was alleged to have wrongfully restrained him and threw him from the motorcycle and he was alleged to be dragged into the house of petitioner herein/A1; it was further alleged that when two of the accused persons caught hold the *de facto* complainant from behind, petitioner herein/A1 beat him with a stick on his head and in the meantime, another accused was alleged to have tried to stab him with knife and inflicted injury to his right hand middle finger; the petitioner herein/A1 along with other accused was alleged to have extorted a sum of Rs.7,000/- and cellphone. Basing on the report of *de facto* complainant, a case in Crime No.308 of 2023 of Dowleswaram PS was registered for the above alleged offences and investigated into.

4. Learned counsel for the petitioner herein/A1 submits that the petitioner herein/A1 surrendered before the trial Court on

03.04.2024 and remanded to judicial custody on the same day *i.e.* 03.04.2024 and he has been languishing in jail since then.

5. Learned Special Assistant Public Prosecutor contends that the petitioner herein/A1 is a habitual offender and he is involved in more than thirteen crimes.

6. Perused the record.

7. A perusal of material on record goes to show that the petitioner herein/A1, along with other three accused persons, was alleged to have wrongfully restrained the *de facto* complainant, voluntarily caused hurt on his head by beating him with a stick, stabbed him with a knife and inflicted injuries to his right hand middle finger and thereby, they were alleged to have extorted a sum of Rs.7,000/- and a cellphone from *de facto* complainant. Though, the learned Assistant Public Prosecutor contended that the petitioner herein/A1 has got antecedents of more than thirteen (13) crimes, insofar as the present crime is concerned, the petitioner herein/A1 has been languishing in jail for the last 85 days. Entire investigation in this case has been completed, except filing formal charge sheet.

8. In view of the aforesaid facts and circumstances of the case, this Court is inclined to grant bail to the petitioner herein/A1, on the following conditions:

(i) The petitioner herein/A1 shall be released on bail on his executing a personal bond for Rs.10,000/- (Rupees ten thousand only) with two sureties for a like sum each to the satisfaction of the learned II Additional Judicial Magistrate of First Class, Rajamahendravaram.

(ii) On release, the petitioner herein/A1 shall appear before the Station House Officer concerned **twice in a week** i.e. on every Monday and Thursday in between 10.00 a.m. and 12.00 p.m., till filing of the charge sheet.

9. Accordingly, the Criminal Petition is allowed,

JUSTICE K. SREENIVASA REDDY

27th June, 2024

DNB