

THE HON'BLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No.481 of 2024

ORDER:

This Criminal Petition is filed under Section 438 of Cr.P.C. by petitioner/accused No.4 seeking anticipatory bail in the event of his arrest in connection with F.I.R No.434 of 2023 on the file of the Kodad Town Police Station, Suryapet District, registered for the offence punishable under Section 324 r/w 34 of the Indian Penal Code (for short 'IPC'), subsequently altered to Sections 120(b) and 307 r/w 34 of IPC.

2. Heard learned counsel for the petitioner, learned Additional Public Prosecutor for the respondent-State and perused the record.

3. According to the prosecution case, accused No.1 engaged the service of accused Nos.2 and 3 to cause harm to the injured. It is alleged that accused Nos.1 to 4 were having business interest and the injured was causing hindrance in the business. The petitioner/Accused No.4 informed accused No.1 that he would extend help if he causes harm to the victim. Accordingly, accused No.1 informed accused Nos.2 and 3. Accused No.3 attacked the injured.

4. Learned counsel for the petitioner would submit that except making allegations on the basis of confession that this petitioner

was involved, even according to the investigation, he was not anywhere present in the scene nor engaged the services of alleged persons who attacked the victim.

5. Learned Additional Public Prosecutor opposed to allow the bail application on the ground that this petitioner is arrayed as accused No.4 and planned the attack along with accused No.1.

6. Since the basis for implication of the petitioner/accused No.4 is only on confession and even according to the Remand Report, it was accused No.1 who had engaged accused Nos.2 and 3 to attack the victim, this Court deems it appropriate to grant relief of anticipatory bail to the petitioner, subject to the following conditions:

- 1) The petitioner/accused No.4 is directed to surrender before the Station House Officer, PS, Kodad Town, Suryapet District, on or before 20.01.2024. Upon such surrender, the said Station House Officer shall release the petitioner/accused No.4 on bail, on his executing personal bond for a sum of Rs.50,000/- (Rupees Fifty Thousand only) with two sureties for a like sum each to his satisfaction.
- 2) On such release, the petitioner/accused No.4 shall appear before the concerned police concerned Station House Officer on every Monday and Wednesday at 10am for a period of four (04) weeks and thereafter, as and when required, for the purpose of investigation.

- 3) The petitioner/accused No.4 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, the Criminal Petition is allowed. Miscellaneous applications, if any pending in this criminal petition, shall stand closed.

Date : 12.01.2024
gvl/pvt

K.SURENDER, J

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Dt.12.01.2024

gvl/pvt