

THE HONOURABLE DR.JUSTICE G. RADHA RANI

CRIMINAL PETITION No.2569 of 2024

ORDER:

This Criminal Petition is filed by the petitioners – A4, A5, A7, A9 and A10 under Section 438 of Code of Criminal Procedure to enlarge them on anticipatory bail in the event of their arrest in Crime No.20 of 2024 of PS Mulugu, Siddipet District registered for the offences under Section 307 read with Section 34 of IPC.

2. The case of the prosecution in brief was that on 20.01.2024 at 22:00 hours, the de-facto complainant – the father of the injured victim lodged a report stating that his son purchased a JCB and parked the JCB at his house on 19.01.2024. Later, when they stopped the JCB on the road in front of the complainant's house and were checking the oil level, at about 19:00 hours their villager Guvva Srikanth, who was proceeding on the road quarreled with his son asking as to why he put the JCB on road. On the intervention of neighbors, the quarrel subsided and they left at that time. On 20.01.2024, after completing the work, when his son along with the JCB operator were returning home from work and when reached near Mamidyala Birappa Temple in the suburb of TunikiBollaram Village at around 20:00 hours, Bailampur Villagers, who were the accused A1 to A10 and some others with an intention to kill his son attacked

him and beat him with sticks and stones on his head, hands, legs, abdomen and other parts of the body, due to which his son sustained serious injuries and became unconscious. The JCB Operator Arif Khan took a video on his mobile and sent it to the complainant on WhatsApp. Basing on which the de-facto complainant lodged the report and admitted his son in RVM Hospital for treatment. A11 to A13 were arrested on 17.02.2024.

3. Heard the learned counsel for the petitioners and the learned Additional Public Prosecutor for the respondent – State.

4. Learned counsel for the petitioners submitted that all the petitioners - A4, A5, A7, A9 and A10 were agriculturists. The present complaint was lodged as a counter blast to the case lodged by A1 against the son of the de-facto complainant in Crime No.17 of 2024. The son of the de-facto complainant was a habitual offender and a rowdy sheeter. Various crimes were registered against him vide Crime Nos.164 of 2019, 167 of 2019, 166 of 2022, 214 of 2022 and 21 of 2023. Preventive Detention Act was also invoked against the son of the de-facto complainant. The present complaint was lodged only due to political rivalry and prayed to enlarge the petitioners on anticipatory bail.

5. Learned Additional Public Prosecutor opposed grant of anticipatory bail to the petitioners.

6. Perused the record.

7. Considering that no specific overt acts were attributed to the petitioners herein except stating that they altogether beat the son of the de-facto complainant and as it was reported that the victim sustained only minor injuries and he was discharged from the hospital, it is considered a fit case to grant anticipatory bail to the petitioners – A4, A5, A7, A9 and A10 on certain conditions.

8. In the result, the Criminal Petition is allowed and the petitioners – A4, A5, A7, A9 and A10 are granted anticipatory bail subject to the following conditions:

(i) The petitioners – A4, A5, A7, A9 and A10 are directed to surrender before the Station House Officer of PS Mulugu, Siddipet District within a period of (15) days from the date of this Order, and on such surrender, the SHO of PS Mulugu, Siddipet District shall release the petitioners – A4, A5, A7, A9 and A10 on bail on their executing a personal bond for Rs.20,000/- (Rupees Twenty Thousand Only) each with two sureties for the like sum each to the satisfaction of the said Station House Officer.

(ii) The petitioners – A4, A5, A7, A9 and A10 shall comply with all the conditions stipulated under Section 438(2) of Cr.P.C.

As a sequel, miscellaneous applications pending in this petition, if any shall stand closed.

Dr. G. RADHA RANI, J

Date: 07th March, 2024
Nsk.