

THE HONOURABLE DR.JUSTICE G. RADHA RANI

CRIMINAL PETITION No.2576 of 2024

ORDER:

This Criminal Petition is filed by the petitioner – A3 under Section 438 of Code of Criminal Procedure for grant of anticipatory bail in the event of his arrest in Crime No.38 of 2023 on the file of PS Chowdariguda, Rangareddy District, registered for the offences under Sections 324, 506, read with Section 34 of IPC, which was later altered to Sections 307, 323, 506 read with Section 34 of IPC.

2. The case of the prosecution in brief was that on 22.03.2023 at 10:30 hours, the de-facto complainant – mother of the injured victim lodged a report stating that on the same day morning at 08:00 AM, her brothers were quarreling near her house. At that time, when her son Prem Kumar went there, her younger brother shouted on her son. As such, her son returned home. For the past ten (10) days, quarrels were going on between the complainant and her younger brother Yadaiah. Keeping the said quarrel in mind and also getting annoyed as her son came to the place where her brothers were quarreling, her brothers and their family members came near her house and attacked on her son. They all pushed her son to the ground and her brother Sathaiah (petitioner herein) kept his leg on the neck of her son and her other brother Yadaiah took a

stone and hit over the head of her son and caused severe bleeding injuries to him, due to which, blood oozed from his ear. Later, all of them left the place threatening to kill her son. The injured victim was shifted to Osmania General Hospital, Hyderabad for treatment. Basing on the said report, the above crime was registered and A1 was arrested on 03.05.2023.

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

4. Learned counsel for the petitioner submitted that the matter was compromised between the parties. The de-facto complainant expired. The injured victim had filed an affidavit to the extent that the matter was compromised between them and prayed to enlarge the petitioner on anticipatory bail.

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

6. Perused the record.

7. Considering that the dispute was between the family members and as it was reported that the family members compromised the matter between themselves and as the incident occurred almost one year ago, it is considered fit to enlarge the petitioner – A3 on anticipatory bail on certain conditions.

8. In the result, the Criminal Petition is allowed and the petitioner – A3 is granted anticipatory bail subject to the following conditions:

(i) The petitioner – A3 is directed to surrender before the Station House Officer of PS Chowdariguda, Rangareddy District within a period of (15) days from the date of this Order, and on such surrender, the SHO of PS Chowdariguda, Rangareddy District shall release the petitioner – A3 on bail on his executing a personal bond for Rs.20,000/- (Rupees Twenty Thousand Only) with two sureties for the like sum each to the satisfaction of the said Station House Officer.

(ii) The petitioner – A3 shall comply with 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: 12th March, 2024
Nsk.**