

THE HON'BLE SRI JUSTICE B. VIJAYSEN REDDY

CRIMINAL PETITION No.5623 OF 2024

ORDER: (ORAL)

This criminal petition is filed, under Section 438 of the Criminal Procedure Code, seeking grant of anticipatory bail to the petitioner/accused in Crime No.81 of 2024 of Shankarpally Police Station, Cyberabad, registered for the offences punishable under Sections 326 and 504 of the Indian Penal Code, 1860 (for short, 'IPC').

2. Heard learned counsel for the petitioner/accused, learned Additional Public Prosecutor appearing for the respondent-State and perused the material available on record.

3. The case of the prosecution is that the *de facto* complainant lodged a complaint on 12.02.2024 stating that on 11.02.2024 at about 18:00 hours when he is returning to Shankarpally after completion of his work and when he reached Ramanthapur Village gate, their Supervisor Ravi (petitioner) stopped his bike, scolded him saying that without asking him why he gave money to the labour. The petitioner scolded him in filthy language and beat him with a stick on his hands,

legs and back, by which the *de facto* complainant received injuries. Immediately, the *de facto* complainant went to Swaraj Hospital, Shankarpally for treatment and the doctor informed him that he had a fracture at his fore arm.

4. Learned counsel for the petitioner submitted that the entire case is false and baseless and are invented for the purpose of above crime. The petitioner/accused is innocent and is falsely implicated in the subject case.

5. On the other hand, learned Additional Public Prosecutor opposed the grant of bail to the petitioner/accused.

6. As seen from the record, the FIR was initially registered under Section 324 IPC and later altered to Section 326 IPC. The MLC report of the *de facto* complainant shows two simple injuries and one grievous injury allegedly caused with a stick. However, *prima facie*, Section 326 IPC is not attracted. Hence, this Court is inclined to grant anticipatory bail to the petitioner/accused.

7. Accordingly, the Criminal Petition is allowed and the petitioner/accused is directed to surrender before the Station House

Officer, Shankarpally Police Station, within 15 days from today. On such surrender, the petitioner shall be released on bail on his executing a personal bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties for a like sum each to the satisfaction of the said Station House Officer. Further, on such release, the petitioner shall abide by the following conditions:

1. The petitioner shall make himself available for investigation as and when required by the police.
2. The petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any police officer.
3. The petitioner shall not leave India without the prior permission of the Court.

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

B. VIJAYSEN REDDY, J

Date: 30.05.2024
ssp/md