

HON'BLE SMT. JUSTICE JUVVADI SRIDEVI

CRIMINAL PETITION No.7782 of 2024

ORDER :

Petitioner/Accused No.1 has filed this petition under Section 438 of Cr.P.C., seeking anticipatory bail in Cr.No.195 of 2024 of P.S. Nampally, registered for the offences under Sections 324 r/w. 34 of IPC.

2. Heard Sri M.A.Mujeeb, learned counsel for petitioner and the learned Additional Public Prosecutor appearing for the State.

3. The case of the prosecution is that on 28.05.2024, the petitioner herein, along with others, has attacked the complainant and his friend, kicked them and punched them and also hit them with hockey sticks and caused grievous injuries.

4. The learned counsel for petitioner/accused No.1 has submitted that the petitioner has never attacked the complainant and that he has been falsely implicated in this case. It is submitted that under similar circumstances, accused Nos.2 and 4 to 6 have already been granted bail and since the petitioner is also on the same footing, he shall be granted anticipatory bail.

5. The learned Additional Public Prosecutor has opposed the grant of anticipatory bail on the ground that there is prima facie involvement of petitioner herein in the incident, and hence, he is not entitled for anticipatory bail.

6. On perusal of the complaint and the material placed on record, it is apparent that the material witnesses have already been examined and medical report of the injured is received and most part of the investigation is also completed, and hence, this Court is of the considered view that the petitioner/accused No.1 can be granted anticipatory bail subject to the following conditions :

- 1. The petitioner/accused No.1 shall surrender before the Station House Officer of P.S. Nampally within two weeks from today, and on such surrender, the said Station House Officer shall release him on bail on his executing a personal bond for Rs.20,000/- with two sureties each for the like sum.**
- 2. The petitioner/accused No.1 shall abide by the other conditions stipulated in Section 438(2) of Cr.P.C. and co-operate with the Investigating Officer in investigating the case.**

JUVVADI SRIDEVI, J

Date: 22.07.2024

ajr