

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.13158 of 2024

ORDER:

This Criminal Petition is filed under section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of pre-arrest bail to the petitioner who is arrayed as accused No.5 in Crime No.440 of 2024 of Karimnagar II Town Police Station, Karimnagar District.

2. The brief facts of the case are that on 17.06.2024, Hampu Gollena Vinay lodged a complaint stating that his brother-in-law, Allepu Vallepu Swamy, committed suicide by hanging on 16.06.2024. After the post-mortem on 17.06.2024, a dispute arose between the family of said Vinay and the relatives of Swamy over the funeral location. The relatives of Swamy wanted to take the body to Damera Village, while the family of Vinay preferred Kothagudem. The argument escalated into violence, with accused Nos.1 to 10 allegedly abusing and assaulting the family of Vinay, causing injuries to Vinay (right leg), his sister Swathi (head), and others, including Allepu Srikanth, Sambaraju, Shivarthri Venkatesh, and Shivarthri Ganesh.

3. Heard Sri Vadlakonda Ravi Kumar Reddy, learned counsel appearing on behalf of the petitioner as well as

Sri Rudresh Deshpande, learned Assistant Public Prosecutor appearing on behalf of the respondent-State.

4. Learned counsel for the petitioner submitted that a bare perusal of the complaint, there are no specific allegations against the petitioner and that as per the injuries certificate, the victim received simple injuries and therefore, prayed the Court to grant anticipatory bail to the petitioner by allowing this criminal petition.

5. On the other hand, learned Additional Public Prosecutor has opposed the grant of anticipatory bail stating that though the medical report shows there are simple injuries and in the complaint as there are no specific allegations leveled against the petitioner, he involved in this case, as such, granting of bail at this stage, does not arise. Therefore, he prayed the Court to dismiss the criminal petition.

6. In the light of the submissions made by both the learned counsel and a perusal of the material available on record, as there are no specific allegations against the petitioner and the medical report filed by the Additional Public Prosecutor shows that the injuries received by the victim are simple in nature, this Court deems it fit to grant anticipatory bail to the petitioner subject to the following conditions:

- i. The petitioner shall surrender before the Station House Officer of Karimnagar II Town Police Station within two weeks from today, and on such surrender, the said Station House Officer shall release the petitioner on bail on executing personal bond for Rs.25,000/- with two sureties each for the like sum.
- ii. The petitioner shall abide by the other conditions stipulated in Section 482 (2) of Bharatiya Nagarik Suraksha Sanhita, 2023 and co-operate with the Investigating Officer in investigating the case.

7. Accordingly, this Criminal Petition is allowed.

Miscellaneous applications, if any pending, shall stand closed.

K. SUJANA, J

Date: 18.11.2024
SAI

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