

HON'BLE SRI JUSTICE K.SRINIVASA REDDY

CRIMINAL PETITION No.1022 of 2023

ORDER:

This petition is filed under Section 482 Cr.P.C., by the petitioners/Accused Nos.6 to 12, 14 and 15 to quash the proceedings in FIR No.147 of 2022 of Mudiveedu Police Station, Annamayya District.

2) The case has been registered against the petitioners and others for the offence under Sections 143, 147, 452, 324, 323, 506 r/w 149 IPC.

3) Brief facts of the case are that, on 23.12.2022, A1 to A16 formed themselves as unlawful assembly, came on three cars with deadly weapons and when the A1 raised huge cries to beat the de facto complainant, A2 to A5 beat the de facto complainant on his back and legs indiscriminately. When the de facto complainant escaped from them on his motor cycle and reached Eguvakongavaripalle Village and hid in one house, A1 to A16 followed him, dragged him from the house and A1 beat him with rod and caused bleeding injury over his head. The remaining accused also beat him with rods and sticks on his back and legs and thereby caused injuries and they also threatened the complainant with dire consequences.

4) The learned counsel for the petitioners submits that, specific overacts are attributed against A1 to A5 only. Except stating that the petitioners supported the other accused, there are no other accusations as against the petitioners herein.

5) On contra, learned Assistant Public Prosecutor contended that all the accused surrounded the defacto complainant with deadly weapons and all were present at the scene of offence and there was common object among all the accused in attacking the complainant.

6) Heard. Perused the record.

7) On 23.12.2022 all the accused formed into unlawful assembly, went with deadly weapons and attacked the defacto complainant. When A1 raised huge cries to beat the defacto complainant, A2 to A5 beat the complainant on his back and legs. When the complainant escaped on his motor cycle and hid in one house, accused Nos.1 to 6 followed the de facto complainant and A1 beat him with rod and caused bleeding injury over his head. Whereas the remaining accused also beat him with rods and sticks on his back and legs. When the de facto complainant raised cries, B. Venugopal Reddy, Amarnadha Reddy, Bojja Reddy and some others came there to rescue the complainant and the A1 to A16 prevented them and pelted stones. Then, the said persons escaped

from them and took the complainant on motor cycle and admitted the injured in the Government Hospital, Madanapalle for treatment.

8) Admittedly, specific accusations are attributed as against A1 to A5 only. In respect of other accused, it is alleged that they were present at the scene of offence with deadly weapons and supported the co-accused. At this stage, this Court would not be in a position to interfere with investigation which is at nascent stage.

9) In view of the aforesaid facts and circumstances, this Criminal Petition is disposed of, with a direction to the police not to take any coercive steps as against the petitioners herein.

Miscellaneous petitions, pending if any, in this Criminal Petition shall stand closed.

K.SRINIVASA REDDY, J

08.02.2023
ASR