

THE HON'BLE MS JUSTICE B.S.BHANUMATHI

Criminal Petition No.2234 of 2023

ORDER:

This Criminal Petition is filed by petitioner/A7 under Sections 437 and 439 of the Code of Criminal Procedure, 1973 ('Cr.P.C'), seeking regular bail in Crime No.227 of 2022 of Allagadda Town Police Station, Nandyal District, registered on 16.12.2022 for the offence punishable under Sections 147, 148, 323, 324, 307, 120-B r/w 149 of IPC, Section 3(2)(v) of SC/ST POA Act.

2. Heard the learned counsel for the petitioner/A7 and Sri.P.M.Mithileswara Reddy, the learned Special Assistant Public Prosecutor representing the respondent/State.

3. The case of the prosecution is briefly that on 15.12.2022, at about 11:30 P.M. at GRG Dhaba on highway road towards Nandyal in Allagadda Town, the accused who are the followers of Bhuma Akhila Priya and Madduru Bhargava Ram Naidu formed themselves as an unlawful assembly and criminally conspiring came to the defacto complainant on two vehicles holding iron rods, knives, wooden sticks and attacked the *defacto* complainant and Uppu Subbaiah, who was along with him at the dhaba and they all attacked at a time with an intention to kill

him and caused bleeding injuries on the head and body as well and that the injured was rescued by the intervention of Mallikarjuna and Uppu Subbaiah and that the origin of the offences is that the *defacto* complainant blew horn in high sound in front of the house of Bhuma Akhila Priya.

4. Learned counsel for the petitioner submitted that this is the second application moved by the petitioner/A7 and that the earlier application was dismissed as the investigation was in progress, but by now major part of the investigation is completed. He further submitted that this Court granted bail to accused No.14, 2 and 15, who are similarly accused in the same crime vide orders dated 09-03-2023 in Crl. P.No.1525 of 2023 and dated 17-03-2023 in Crl.P.No1831 of 2023 respectively.

5. Learned Assistant Public Prosecutor opposed the petition and submitted that some more accused are yet to be arrested and the investigation is not completed. He further submitted that earlier bail application was dismissed as the petitioner is involved in three more other crimes of similar nature. He further submitted that though the injuries are simple in nature, the place of injuries is on vital parts i.e., temporal region of the head.

6. Perused the record.

7. As per the representation made by the learned Special Assistant Public Prosecutor, so far nineteen (19) witnesses were examined and Wound Certificate was also received. Since major part of the investigation is completed and it is almost 84 days since the date of arrest of the petitioner, the petitioner can be granted bail, however subject to conditions.

8. In the result, the Criminal Petition is allowed. The petitioner/A7 (Anakala Naresh alias Ahobilam Naresh) shall be released on bail on his furnishing personal bond for a sum of Rs.25,000/- (Rupees twenty five thousand only) with two sureties for the like sum each, to the satisfaction of the learned Judicial Magistrate of First Class, Allagadda and subject to complying the following conditions:-

- i. The petitioner/A.7(Anakala Naresh alias Ahobilam Naresh) is directed to appear before the Station House Officer, Allagadda Town Police Station, Nandyal District, once in a week on every Sunday between 10:00 A.M and 05:00 P.M. starting from the day of his release until further orders or charge sheet is filed, whichever is earlier;
- ii. The petitioner/A.7 shall not directly or indirectly contact or threaten the witnesses under any

circumstances and any such attempt shall be construed as an attempt of influencing the witness;

- iii. The petitioner/A.7 shall not leave the jurisdiction without prior permission of the Court concerned;
- iv. The petitioner/A.7 shall co-operate with the investigation.

Pending miscellaneous applications, if any, shall stand closed.

B.S.BHANUMATHI, J

Date:31-03-2023
SAB