

THE HON'BLE JUSTICE Dr. V.R.K.KRUPA SAGAR

CRIMINAL PETITION No.233 of 2023

ORDER:-

The petitioners are A-6 and A-10 in Crime No.366 of 2022 of Reddygudem Police Station, N.T.R. District, and the present petition is filed under Section 438 of the Code of Criminal Procedure, 1973 (for short "Cr.P.C.") seeking for anticipatory bail.

The offences alleged against the accused are under Sections 307, 324, 326 r/w 149, 120-B and 109 I.P.C.

Having heard the submissions of learned counsel for the petitioners and learned Additional Public Prosecutor appearing for the State/respondent, it is seen that concerning a well in the village, there has been some controversy for quite a long time and some of the accused have presented a civil suit and the same was pending. The offences alleged were committed during November, 2022 and the F.I.R was registered on 12.11.2022. As many as twenty five accused are there in the alleged crime incident. The allegations are that all those accused attacked the opposite group and caused serious injuries to three individuals.

It is undisputed that many of the accused were arrested and were remanded to judicial custody and at different points of time, their regular bails were heard by the competent Criminal

Court and those accused were enlarged on bail. Record also indicates and submissions on both sides also admitting that the victims were discharged and the crime weapons were seized and they are under the process of examination by experts. Seven material witnesses were examined and thus, best part of the investigation is completed.

In the context of above facts and circumstances, the submission of the learned counsel for the petitioners is that no specific overt acts are attributed against these petitioners and in fact in the F.I.R, the name of A-10 was not there. It is pleaded that the petitioners are innocent and they apprehend arrest on unnecessary grounds on part of the police.

Learned Additional Public Prosecutor submits that the offences alleged are heinous.

On consideration of the rival submissions and the facts on record, it is seen that the imminent need to have custodial interrogation of these petitioners is not made out and the fact that these petitioners are permanent residents of the villages where they are shown to have been residing for quite a long time. Considering the progress in investigation and the absence of any need for any custodial interrogation, the prayer of the petitioners shall be granted.

In the result, the Criminal Petition is allowed granting anticipatory bail to A-6 and A-10 that in the event of their arrest, the Arresting Officer shall release them on each of the petitioners/accused executing a personal bond for Rs.15,000/- (Rupees fifteen thousand only) with two sureties each to the satisfaction of the Investigating Officer. The petitioners shall make themselves available for investigation at all times and shall not tamper with evidence and shall mark their attendance before the Investigating Officer on 25th of every month, till the time the charge sheet is laid.

Dr. V.R.K.KRUPA SAGAR, J

Date: 12.01.2023

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