

HON'BLE Dr. JUSTICE SHAMEEM AKTHER

CRIMINAL PETITION No.11431 OF 2017

ORDER:

This Criminal Petition, under Section 438 of Cr.P.C., is filed by the petitioner/A.1, seeking anticipatory bail in the event of his arrest in connection with F.I.R. No.16/2017, on the file of Dagadarthi Police Station, Sri S.P.S.R. Nellore District, registered for the offences under Sections 290 and 307 R/w.34 of I.P.C.

Heard the learned counsel for the petitioner/A.1, learned Additional Public Prosecutor appearing for the respondent-State, and perused the record.

Learned counsel for the petitioner would submit that the petitioner is an innocent person and has been falsely implicated in this case. It is further submitted that A.2 was already granted bail on 16.08.2017.

As per the First Information Report lodged in this case, there is a specific mention that A.1 hacked the *de-facto* complainant on his left thigh with a knife. It is also mentioned therein that as the *de-facto* complainant did not lease his toddy trees, petitioner/A.1 along with A.2 abused him and made an attack. There is specific overt act against the petitioner/A.1. Therefore, it cannot be said that a false case is foisted against the petitioner/A.1.

In view of the gravity of the offences and the nature of allegations made against the petitioner/A.1, it is not a fit case to enlarge the petitioner/A.1 on bail under Section 438 Cr.P.C.

Hence, the Criminal Petition is dismissed.

In consequence, miscellaneous petitions, if any, pending in this Criminal Petition shall also stand dismissed.

Dr. SHAMEEM AKTHER, J

Date: 30.11.2017.
Dsh



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