

THE HON'BLE SRI JUSTICE B. KRISHNA MOHAN

CRIMINAL PETITION NO.2516 OF 2021

ORDER:

This Criminal Petition is filed by the petitioners/ Accused Nos.4 and 5 in Crime No. 25 of 2021, dated 08.03.2021 of Adavuladeevi Police Station, Guntur District, registered for the offences punishable under Sections 147, 148, 323, 307 r/w 149 of I.P.C.

2. Heard the learned Counsel appearing for the petitioners and the learned Assistant Public Prosecutor for the Respondent / State.

3. The brief facts of the case are that this is a case of rioting armed with deadly weapons and attempt to murder with common intention, which was occurred on 08.03.2021 at about 10.00 a.m, at the prawns tank of one Yenamala Nageswara Rao at Alavala Village, Dindi Panchayat, Guntur District. The defacto complainant has won the Panchayat Election recently. While, he was talking with one Yenamala Nageswara Rao at his prawns tank, Accused 1 to 4, who grew grudge against him due to previous disputes with regard to digging tanks, armed with deadly weapons, came with proclainer, reached him, threatened to stop the work at their tanks, shouted to kill, abused him in filthy language, pushed him on the ground, beat him with hands and legs indiscriminately. In the mean time, A-2 and other culprits again tried to hack the defacto complainant, due to which, the defacto complainant got bleeding injury on the left ankle end. Basing on the report given by the defacto complainant, the above crime is registered.

4. The learned counsel for the petitioners states that the petitioners herein are shown as Accused No. 4 and 5 in the above crime, arising out of the case and counter case between the parties. The Accused-1 in the present case has also lodged a complaint before the Police and the same was registered as Crime No. 26 of 2021 on the file of Adavuladeevi Police Station, Guntur District, for the offences punishable under Sections 323, 324 r/w 34 IPC and the petitioners herein have been falsely implicated in Crime No. 25 of 2021, dated 08.03.2021, though they are innocent.

5. On the other hand, the learned Assistant Public Prosecutor contends that there are specific overt acts against the petitioners herein. Accused-1 was arrested on 30.03.2021 and Accused-2 and Accused-3 were also arrested on 09.03.2021 and they were all sent to remand. Subsequently, Accused-3 was enlarged on a regular bail.

6. In view of the above said facts and circumstances, this Criminal Petition is dismissed, directing the petitioners to surrender before the concerned Magistrate and seek for a regular bail, on such surrender and filing of the application for regular bail, the same shall be considered as expeditiously as possible on merits.

JUSTICE B. KRISHNA MOHAN

Date: 30.04.2021

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