

**THE HON'BLE SMT. JUSTICE LALITHA KANNEGANTI**

**CRIMINAL PETITION No.2999 OF 2021**

**ORDER:-**

This Criminal Petition is filed under Section 438 of the Code of Criminal Procedure, 1973 (for short "Cr.P.C.") seeking pre-arrest bail to the petitioner/A-3 in the event of his arrest in connection with Crime No.26 of 2021 on the file of Tirupathi East Police Station, Tirupathi Urban, Chittoor District, registered for the offences punishable under Sections 341 and 307 read with 34 I.P.C.

2. Case of the prosecution is that the *de facto* complainant is a resident of Biragipatteda, Tirupathi and his parents had two children i.e., the petitioner and one Kousika. It is said that his father died in a road accident in the year 2014. While things stood thus, his sister loved one Azeem and married him against to the wishes of the family members. Since then, whenever the said Azeem came into contact with the *de facto* complainant, the said Azeem used to utter that he will kill the *de facto* complainant so that he can grab the entire property and that he also informed about it to the family members. In that process, on 24.1.2021, at about 9:30 P.M., he went to Bliss Hotel with his uncle Hari Prasad Reddy and after dinner, he went to the parking to pick up his vehicle. At that time, one Pavan, Rohit and some others restrained him from moving and told the *de facto* complainant that his brother-in-law sent all of them to kill him so that he will get the

property and while saying so, they tried to kill him with iron rods and knives but the *de facto* complainant tried to escape but they chased him and beat with iron rods and the *de facto* complainant sustained injury to his mouth and his upper and lower teeth fell down. It is alleged that the paternal uncle of the *de facto* complainant was also beaten when he tried to rescue the *de facto* complainant. Out of fear in the night, he did not lodge any report but he went to hospital on the next day i.e., on 25.1.2021 and lodged a report with the police. Basing on the said report, the crime was registered.

3. Heard Sri Chandra Sekhar Ilapakurti, learned counsel for the petitioner, and the learned Public Prosecutor for the respondent-State.

4. Learned counsel for the petitioner submits that earlier, the petitioner has filed an application seeking bail *vide* CrI.P.No.1664 of 2021 and this Court directed the petitioner to surrender before the concerned Magistrate and seek for a regular bail and on filing of such application, the same shall be considered as expeditiously as possible as per law. He submits that in view of the pandemic situation, the case of the petitioner may be considered for grant of bail by the concerned Court on the same day.

5. On the other hand, learned Public Prosecutor submits that when the earlier bail application filed by the petitioner was disposed of by this Court and when there are no changed circumstances, the petitioner cannot file another application

seeking bail and as such, the petitioner is not entitled for grant of pre-arrest bail.

6. Taking into consideration the prevailing pandemic situation, learned counsel for the petitioner represented that the petitioner/A-3 will surrender before the concerned Court and make appropriate application seeking bail. On such surrender, the petitioner's application seeking bail shall be considered by the competent Court on the same day in accordance with law.

7. Accordingly, this Criminal Petition is disposed of.

Consequently, miscellaneous applications pending, if any, in this Criminal Petition shall stand closed.

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**JUSTICE LALITHA KANNEGANTI**

Date : 27.5.2021  
AMD

6

**THE HON'BLE SMT. JUSTICE LALITHA KANNEGANTI**

**(Disposed of)**

**CRIMINAL PETITION No.2999 OF 2021**

**Date : 27.5.2021**

AMD