

HON'BLE SRI JUSTICE R. RAGHUNANDAN RAO

Crl.P.No.9544 of 2022

ORDER:

The petitioner is accused No.2 in Crime No.283 of 2022 of Rajampet Urban Police Station, Rajampet Mandal, Presently Annamaiah District (previously Kadapa District), for the offences punishable under Section 324 read with Section 34 IPC, which was subsequently altered to Section 326 read with Section 34 IPC.

2. The petitioner contends that he has been implicated in the case solely to pressurise his father to withdraw the civil case filed by his father against the de facto complainant in relation to certain property. The petitioner would also submit that the allegations in the complaint would make it clear that he had come to the scene only after the initial attack against the father of the petitioner had been completed.

3. Sri P. Sree Ramulu Naidu, learned counsel appearing for the petitioner would submit that a perusal of the wound certificate filed along with the remand report, would show that except the abrasions and swelling mentioned in the wound certificate, there is no grievous injury to the de facto complainant. He would also submit that the X-ray report showing that there was a fracture to the de facto complainant, is manipulated and has been filed solely for the purpose of including a provision of law, which would convert the case into a non bailable offence.

4. While the contentions raised by the learned counsel for the petitioner may require further consideration, the fact remains that the complaint is at the stage of investigation. It is only in the course of investigation of the said issues that an opinion can be formed in relation to the incident that is said to have occurred. In the circumstances, it would not be appropriate for this Court to enter into this arena at this stage.

5. Accordingly, the criminal petition is dismissed. However, since the petitioner is said to be a student and has already been arrested and released on bail, no further coercive steps would be taken against the petitioner pending completion of the investigation.

As a sequel, pending miscellaneous petitions, if any, shall stand closed.

30th November, 2022.
Js.

R. RAGHUNANDAN RAO, J.

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