

THE HONOURABLE SRI JUSTICE B. VIJAYSEN REDDY

CRIMINAL PETITION Nos.5641, 5647 and 5655 of 2024

COMMON ORDER:

The above Criminal Petitions are filed under Section 438 of the Code of Criminal Procedure, 1973, seeking grant of anticipatory bail to the petitioners, who are accused Nos.2, 3 and 1 respectively, in Crime No.124 of 2024 on the file of the Velgatur Police Station, Jagtial District, registered for the offences punishable under Section 307 read with Section 34 of Indian Penal Code, 1860 ('IPC' for brevity) and Sections 3(1)(r)(s), 3(2)(va) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 (for short 'Act 1989').

2. Heard Mr. K. Saisruthin Rao, learned counsel for the petitioners and learned Additional Public Prosecutor for the respondent-State.

3. Despite service of notice to respondent No.2 in all the three cases as per USR Nos.45479, 45478 and 45477 of 2024 respectively, there is no appearance on behalf of him.

4. The case of the prosecution is that, on 04.05.2024, at about 18:00 hours, accused Nos.1 to 3, who are Bairam Ajay (accused No.1), Chintakindi Tharun (Accused No.2), Bairam Siddu (Accused No.3), Gangula Abhilash and some other unknown persons have bet the *de facto* complainant near Arelly Mallesh fruits shop at Velgatoor. After some time, the accused came to the village of the *de facto* complainant at Kapparaopet near Grampanchayat office and attacked him. Accused No.3 beat his father Gajula Lachaiah and brother Gajula Rakesh with beer bottle and tried to kill them. In the incident, the father of the *de facto* complainant sustained injury near eyes, and his brother sustained injuries on his back, nose and left hand fingers. While attacking on them, Accused No.1 abused the *de facto* complainant touching the name of his caste.

5. Learned counsel for the petitioners submitted that the offence under Section 307 of IPC is not attracted and minor injuries have been sustained by the *de facto* complainant-victims.

6. Learned Additional Public Prosecutor fairly submitted that as per the instructions received from the Investigating Officer, the

de facto complainant, his father and brother sustained simple injuries.

7. In the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners-accused Nos.1 to 3.

8. Accordingly, the Criminal Petitions are allowed and the petitioners-Accused Nos.1 to 3 are directed to surrender before the Station House Officer, Velgatur Police Station, Jagtial District, within fifteen (15) days from today. On such surrender, the petitioners-accused Nos.1 to 3 shall be released on bail on their executing a personal bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each, with two sureties for a like sum each to the satisfaction of the said Station House Officer. Further, on such release, the petitioners-accused Nos.1 to 3 shall abide by the conditions as under:

1. The petitioners-accused Nos.1 to 3 shall make themselves available for interrogation by a police officer as and when required.

2. The petitioners-accused Nos.1 to 3 shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;
3. The petitioners-accused Nos.1 to 3 shall not leave India without prior permission of the Court.

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

B. VIJAYSEN REDDY, J

Date: 30.05.2024
Pvt/Smk

THE HONOURABLE SRI JUSTICE B. VIJAYSEN REDDY

CRIMINAL PETITION Nos.5641, 5647 and 5655 of 2024

Dt:30-05-2024

Pvt/Smk