

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

THURSDAY, THE TENTH DAY OF NOVEMBER
TWO THOUSAND AND TWENTY TWO

:PRESENT:

THE HONOURABLE SRI JUSTICE K SREENIVASA REDDY

CRIMINAL PETITION NO: 8660 OF 2022

Between:

1. Sellam Vijaya Kumar, S/o Seelam Srinivasu, Age 22 years, Occ- Students, 2-108/4, Dangeti vari palem, Devarapalli, Ravulapalem, Konaseema, East Godavari District
2. Sellam Hemantha Kumar, S/o Seelam Simhachalam, Age 19 years, Occ- Students 2-109/2, Dangeti vari palem, Devarapalli, Ravulapalem, Konaseema, East Godavari District.

...Petitioners/A5 & A12

AND

State Rep. By Its Public Prosecutor, High Court of Andhra Pradesh,
Amaravathi, Andhra Pradesh.

...Respondent

Petition under Section 438 of Cr.P.C, praying that in the circumstances stated in the memorandum of grounds filed in Criminal Petition, the High Court may be pleased to grant Anticipatory bail contemplated u/Sec.438 of Cr.P.C to the petitioners in the event of his arrest in connection with the above Crime FIR No. 379 of 2022 dated 25.10.2022 registered by Sub-Inspector of Police, Ravulapalem Police Station, Konaseema, East Godavari District.

The petition coming on for hearing, upon perusing the Petition and the memorandum of grounds filed in support thereof and upon hearing the arguments of Sri CH S V Suraj, Advocate for the Petitioners and of Special Asst. Public Prosecutor for the Respondent, the Court made the following.

ORDER:

THE HON'BLE SRI JUSTICE K. SREENIVASA REDDY**CRIMINAL PETITION NO.8660 OF 2022****ORDER:-**

The Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973, is filed on behalf of the petitioners/Accused No.5 and 12 to grant anticipatory bail in connection with Crime No.379 of 2022 of Ravulapalem Police Station, Konaseema District.

2) A case has been registered against the petitioners and others for the offences punishable under Sections 324, 307, 506, 143, 148 r/w 149 IPC and Section 3(2)(v), 3(2)(va) of the SCs & the STs (PoA) Amendment Act, 2015.

3) Brief facts of the case are that, on 24.10.2022 at 9.00 P.M., when BC & ST caste people gathered at Dr. B. R. Ambedkar Statue which is located in Devarapalli Center for celebrating Diwali festival, A.1 and his cousin brother Rama Manikanta came on motorcycle where people were standing in that area and tried to go in the middle of the people, even though there is vacant place to go. When the complainant asked them and requested them to go through that vacant place, they replied that road belongs to their caste also and unnecessarily started quarrel and that the accused attacked them with brick stone, sticks and empty cool drink glass bottles and abused them as "chavandi ra naa kodakallara", resulting the defacto-complainant sustained injuries.

4) Heard. Perused the record.

5) It is submitted by the learned counsel for the petitioners that the petitioners are students. The 1st petitioner suffered head injury and he was in hospital for a period of 3 days.

6) The learned Special Assistant Public Prosecutor submits that in the present case major portion of investigation is completed and as many as 14 witnesses are examined by the police.

7) Since material witnesses are examined and major part of investigation is completed, this Court is inclined to consider request of petitioners for grant of anticipatory bail.

8) Accordingly, in the event of their arrest, petitioners/Accused No.5 and 12 shall be released on bail on each of them executing a personal bond for a sum of Rs.10,000/- (Rupees ten thousand only), with two sureties each for the like sum to the satisfaction of the arresting police officials and also on condition that the petitioners shall make themselves available for investigation as and when required and that they shall not cause any threat, inducement or promise to the prosecution witnesses. The petitioners shall appear before the Station House Officer, Ravulapalem Police Station, Konaseema District, once in a week i.e., on every Sunday between 10.00 a.m. and 01.00 p.m., till filing of the charge sheet.

9) Accordingly, the Criminal Petition is allowed.

Consequently, miscellaneous applications pending, if any, shall stand closed.

Sd/- G. HELA NAIDU
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Station House Officer, Rayulapalem Police Station, Konaseema, East Godavari District.
2. One CC to Sri. CH S V Suraj, Advocate [OPUC]
3. Two CCs to Public Prosecutor, High Court of AP [OUT]
4. One spare copy.

MSB

HIGH COURT

SRK,J

DATED:10/11/2022

BAIL ORDER

CRLP.No.8660 of 2022

ALLOWED

16 NOV 2022