

THE HON'BLE JUSTICE Dr. V.R.K.KRUPA SAGAR

CRIMINAL PETITION Nos.4568 and 5501 of 2024

COMMON ORDER:

Criminal Petition No.4568 of 2024, under Section 438 of Cr.P.C. (New Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023), is filed by the petitioner/A.1 seeking anticipatory bail in connection with Crime No.923 of 2021 of Tadepalli Police Station, Guntur District, registered for the offences punishable under Sections 143, 324, 506, 188, 269 and 270 read with 149 I.P.C.

2. Criminal Petition No.5501 of 2024, under Section 438 of Cr.P.C. (New Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023), is filed by the petitioners/accused seeking anticipatory bail in connection with Crime No.923 of 2021 of Tadepalli Police Station, Guntur District, registered for the offences punishable under Sections 143, 324, 506, 188, 269 and 270 read with 149 I.P.C.

3. The crime incident allegedly occurred on 17.09.2021 at about 11.30 am. On a written information lodged by one of the

victims, FIR.No.923 of 2021 was registered at Tadepalli Police Station of Krishna District at 04.00 pm on 17.09.2021 itself.

4. The scene of offence was along Karakatta Road near old BBI, Undavalli Village of Krishna District at the house of Sri N.Chandra Babu Naidu. By then in the State of Andhra Pradesh, YSRCP was the ruling party and Sri Y. Jagan Mohan Reddy was the Chief Minister. TDP was in opposition and Sri Nara Chandra Babu Naidu who was formerly the Chief Minister was the leader of opposition party. By the time of hearing of these bail petitions in the year 2024, there was democratic change and TDP came to power and Sri Nara Chandra Babu Naidu became the Chief Minister. The earlier ruling party is now in opposition. These aspects are mentioned here since the crime incident alleged and the submission on both sides made reference to these aspects.

5. Sri Jogi Ramesh (petitioner in Crl.P.No.4568 of 2024) was formerly a Minister in the Government of Andhra Pradesh. The petitioners in Crl.P.No.5501 of 2024 are stated to be either businessmen or labour or unemployed youth respectively.

6. In the written information lodged by one of the victims, it is stated that at the scene of offence, Sri Jogi Ramesh and his

followers about 30 or 40 in number found gathered and it was raucous crowd and they were shouting and challenging Sri N.Chandra Babu Naidu to come out of the house and they would see his end. The informant went to Sri Jogi Ramesh and his followers and questioned them for their acts stating that there was no call from their political party and yet why they were indulging in such acts. Then, one of the followers of Sri Jogi Ramesh asked the informant to give way to them and abused him and intimidated him saying that they would see his end also along with the end of Sri N.Chandra Babu Naidu and using his flag stick hit on the head of the informant causing a bleeding injury and his shirt baniyan were torn. In the written information, the informant mentioned that all those people gathered there to kill Sri N.Chandra Babu Naidu.

7. The sub-inspector of police took up the investigation and forwarded the victim to GGH, Vijayawada for treatment. The Sub-Inspector of police visited the scene of offence. He examined and recorded the statements of ten witnesses.

8. By the orders of the Superintendent of Police, Guntur District vide C.No.77/C2/DCRP/2021 dated 21.09.2021, the investigation was taken over by a Sub-Divisional Police Officer.

The new investigation officer examined another four witnesses. He had issued Section 41A Cr.P.C. notice to A1 to A10 on 27.09.2021.

9. There was change of investigation officer on 09.07.2024. The said investigation officer/SDPO continued the investigation. In this phase of investigation, video clippings from the social media platforms such as You Tube were gathered and watched and what was seen therein was reduced into writing in the presence of mediators. Video clippings from certain news channels such as TV9 and Leo News were also collected which showed the incidents that took place at the scene of offence. On 10.07.2024, the investigation officer, considering the material collected by him so far, filed an alteration memo before the learned Additional Judicial Magistrate of the First Class, Mangalagiri incorporating sections 148 and 307 IPC. During this phase of investigation, five more witnesses were examined. There was re-examination of LWs.1 and 2 and there was also re-examination of LWs.11 and 12 and there was also re-examination of LWs.13 and 14. Some of the participants in this crime incident were identified and were added as accused. From what is collected during this phase of investigation, the case of the State

is that on that day at the scene of offence, people came nearly in 20 cars and they got down from the cars and were wielding flag sticks and they proceeded towards the house of Sri N.Chandra Babu Naidu. It was further found that two groups of people were found quarrelling and at that time some police personnel were also available at the scene of offence. It is further mentioned that Sri Jogi Ramesh was seen addressing media challenging Sri N.Chandra Babu Naidu to come out of his house, if he had guts. It is also stated that police personnel available there were requesting Sri Jogi Ramesh to leave the said place but he was not heeding to. The car bearing MLA sticker with a broken mark on its wind screen was also sighted there. Altercation between the activists of TDP and YSRCP was clearly visible from these clippings. It is further stated that Sri Jogi Ramesh made certain inappropriate comments against Sri N.Chandra Babu Naidu and demanded him to tender apology for the comments made by Sri Ayyannapathrudu and challenged Sri N.Chandra Babu Naidu and Sri Lokesh that their movements would be obstructed across the State.

10. It is alleged that the crime incident occurred at a time when serious Covid restrictions were in force and the participants of this crime violated all those regulations.

11. The allegation of the prosecution is that these acts of crime were pre-mediated and predetermined and were intended to subvert the democratic process and were resorted to terrorize the opponent political parties and their men.

12. It is in the above crime, these applications for anticipatory bail were filed.

Crl.P.No.4568 of 2024 was filed on 04.07.2024.

Crl.P.No.5501 of 2024 was filed on 07.08.2024.

Be it noted that the alteration memo by the investigation agency adding Sections 148 and 307 IPC occurred on 10.07.2024. Though Crl.P.No.5501 of 2024 was filed subsequent to that alteration memo, the bai petition does not mention those two newly added penal provisions. Though Crl.P.No.4568 of 2024 was filed earlier to the said alteration memo, no changes were brought in for adding newly added provisions in the petition and prayer portion of the anticipatory bail petition.

13. The grounds urged in Crl.P.No.4568 of 2024 are Sri Jogi Ramesh:

- The registration of a crime for the offences under Sections 324 and 323 I.P.C. is sheer abuse of power by police to settle political revenge and no offence is made against the petitioner/A.1 for the offence under Section 324 I.P.C.
- Police had followed the procedure and issued notice under Section 41A Cr.P.C. and this petitioner/A.1 co-operated for the investigation and the investigation was substantially completed.
- Police are intending to alter the provisions of law with punishment for more than seven years imprisonment with a view to take revenge against the petitioner.
- Petitioner is innocent of all the offences.
- Petitioner undertakes that in the event of granting pre-arrest bail he would be available for investigation and would co-operate with investigation.
- An accused on bail cannot be arrested on addition of new penal offences without the order of the Court which granted

the bail and such legal principle is applicable to the case on hand.

14. The grounds urged in Crl.P.No.5501 of 2024 of Sri Ch.Madhava Rao and Sri Borra Rambujji and others:

- The registration of a crime for the offences under Sections 324 and 323 I.P.C. is sheer abuse of power by police to settle political revenge and no offence is made against the petitioners/accused for the offence under Section 324 I.P.C.
- Police had followed the procedure and issued notice under Section 41A Cr.P.C. and the petitioners/accused co-operated for the investigation and the investigation was substantially completed.
- Police are intending to alter the provisions of law with punishment for more than seven years imprisonment with a view to take revenge against the petitioners.
- Petitioners are innocent of all the offences.
- Petitioners undertake that in the event of granting pre-arrest bail they would be available for investigation and would co-operate with investigation.

- An accused on bail cannot be arrested on addition of new penal offences without the order of the Court which granted the bail and such legal principle is applicable to the case on hand.

15. For respondent-State, a signed counter of the investigation officer is filed in Crl.P.No.4568 of 2024. Prosecution also filed copies of entries in the case diaries. At the bar, rulings are cited on both sides.

16. Referring to the material on record, accused seek anticipatory bail whereas prosecution seriously challenged the eligibility of these accused for anticipatory bail stating that their arrest and interrogation is the need of the hour in the light of the nature of the offences and its magnitude and seek dismissal of the petitions.

17. Heard arguments of Sri Ponnayolu Sudhakara Reddy, the learned Senior Counsel appearing for petitioners; and Sri Siddharth Luthra and Sri Posani Venkateswarlu, the learned Senior Counsels and Sri M.Lakshmi Narayana, the learned Public Prosecutor appearing for respondent-State, who were appointed

by the Government of Andhra Pradesh to argue the cases as per G.O.Rt.No.615, Home (Courts.A) Department, dated 12.07.2024.

18. Strong, long and animated arguments were submitted on both sides. During arguments apart from legal contentions, some more aspects based on certain facts were argued. There were efforts on both sides indicating that the opposite party suppressed certain facts or made incorrect submissions of facts.

19. Any person having a reason to believe that he may be arrested on accusation of having committed a non-bailable offence may seek a direction for grant of bail in apprehension of arrest.¹ When a written information alleging acts amounting to cognizable offences is submitted to the police, it is the duty of the police to act upon it. On 17.09.2021 such a written information was lodged. It was registered as F.I.R.No.923 of 2021. The police officer registering the crime considered the allegations mentioned in the written information and he applied his mind and mentioned the penal provisions which in his opinion would attract for the facts that he found in the written information. F.I.R.No.923 of 2021 mentions Sections 143, 324, 506, 188, 269 and 270 read with 149 I.P.C. The contents of this written information show that

¹ Section 438(1) Cr.P.C. Section 482 BNSS

the informant was beaten with a flag stick and he suffered bleeding injury on his head. According to the informant, he was abused, intimidated by the accused who gathered there. Thus, information disclosed a serious bleeding injury on the head of the informant. The registering officer was of the opinion that it was a simple hurt caused by a dangerous weapon called stick. Therefore, he incorporated Section 324 I.P.C.

20. The contention of the petitioners is that they are not liable for offences such as Sections 323 and 324 I.P.C. and such provisions were added out of political vendetta. One has to mention that Section 323 I.P.C. is not printed in F.I.R.No.923 of 2021. Thus, there is inaccurate factual submission. The entries in the case diary that are presented before this Court indicate identification of the assailant who caused such injury to the informant. As per the case diary, the allegations are as against Sri Borra Rambujji/petitioner No.2 in Crl.P.No.5501 of 2024. Thus, the material indicates *prima facie* case against the accused for the offence under Section 324 I.P.C. The submission of the accused that such provision is not applicable is against the facts and is therefore negated.

21. Both according to the written information which became F.I.R. as well as entries in case diary would show large gathering of people participating in this crime incident. Many of them were holding sticks with flags. Case diary and the written information of the victim consistently disclosed that these group of people who gathered there loudly shouting challenging Mr. Nara Chandra Babu Naidu to come out of the house so that they would kill him. It could never be stated that when the group was shouting for somebody's life that group cannot be called as unlawful assembly in terms of Section 141 I.P.C. When the assembly of persons by means of criminal force or show of criminal force to any person compel such person to do what he is not legally bound to do or by show of criminal force prevent public servant in exercise of lawful power of such public servant Section 141 I.P.C. operates and how such events are to be considered and what punishment should be granted is provided in Section 149 I.P.C. The printed F.I.R. mentions Section 149 I.P.C. Two things are to be recorded here. The informant belongs to Telugu Desam party and at the spot he requested the group not to resort to any struggles and asked them to stop it. Case diary indicates that during investigation statements of various witnesses were

recorded which include police personnel who were available there. That the presence of police personnel at the scene of offence was not only spoken to by those witnesses but the presence of police was also noticed on the video clippings. The allegations of the prosecution based on case diary is that police personnel at the scene of offence were requesting A.1 and others to stop from proceeding further and asked them to leave the place and to calm down. The group and its leader disregarded it and continued their activities. These allegations of the prosecution based on material collected *prima facie* indicate the relevance of Section 149 I.P.C. printed in the F.I.R. Therefore, it cannot be said that there is no *prima facie* case at all against the petitioners in both the petitions.

22. Initially when the F.I.R. was registered the officer who registered it did not think that the material placed before him by then showed him any attempted murder on part of the participants in the crime. Therefore, there was no Section 307 I.P.C. mentioned there. Investigation progressed and in the current phase of investigation the opinion entertained by the investigation officer indicted that Section 307 I.P.C. is required to be added. That on facts an investigation officer has a duty to

arrive at an opinion and if he has reason to believe from the facts that a particular provision of law would apply he was bound to keep such penal provision in mind and investigate into the offence. No principle of law is shown disentitling an investigation officer not to entertain a different opinion than what is available in the F.I.R. and he is always confined to only those penal sections mentioned in the F.I.R. and that he has to ignore all other penal provisions even if in his opinion they find applicability to the material he collected. How and in what manner he can do is only a matter of procedure and discipline. Whether he followed such procedure and the legal discipline alone can fall for consideration and not about his power to add a penal provision. The details in the case diary furnished and the forceful submissions of the learned Senior Counsels who argued on behalf of the State pointed out the external manifestation of desire of the group as in their own words they wanted to kill someone and that they were doing it publicly and that they were doing it in front of the house of their target and they persisted in doing it despite protest from the opposite party people and despite physical efforts and oral commands of the police personnel present there. Added to that, when the informant took the courage and protested the assailants

he was visited with a bleeding injury. The principle to be noticed is that Section 307 I.P.C. distinguishes between the accused's acts and its result, if any. The Court has to see whether the act, irrespective of its result, was done with the intention or knowledge. The fact that the assailants did not reach their target, namely, Sri Nara Chandra Babu Naidu and therefore, one could not call it as an attempt to murder is a matter that hinges on what amounted to preparation and at what stage it amounted to attempt. Such exercise is not expected while considering an anticipatory bail petition and that shall be rightly relegated to appropriate stage of the criminal process.

23. The contention of the petitioners that the F.I.R. was registered for political vendetta is a submission that has to be summarily rejected. The accused belonged to the then ruling party and the person who suffered bleeding injury and who lodged F.I.R. and whose leader Sri Nara Chandra Babu Naidu belonged to the then opposition political party. That a rightfully registered F.I.R. is now sought to be projected as one that is registered out of political vengeance. Facts from the record indicate someone suffering a bleeding injury by itself is enough justification for police agency to register F.I.R. Therefore,

submission of the learned counsels for petitioners that F.I.R. is product of political vendetta is rejected.

24. One of the grounds urged in the anticipatory bail petition is that the petitioners are innocents of the offences. The presence of these petitioners at the scene of offence is seen through the case diary. Further dilation as to who spoke what against whom is found unnecessary at this stage.

25. The matter of importance to be noted is that those who applied for anticipatory bail are obliged by law to disclose their side of the story in their applications.² Both the bail applications merely castigate the State and the political opponents and have not disclosed their side of the story. Is it that they had no story in their response to put forth? No. The forceful submissions heard from both sides and the record that is placed before this Court does indicate various factual submissions disclosing that the petitioners have had a story to narrate. When the clients permit their counsels to make submission on facts without making their factual narration in their bail applications, the same, in the opinion of this Court does not satisfy the legal requirement which is indicated just above. Parties to a case are the ones who know

² **Sushila Aggarwal v. State (NCT of Delhi)** ((2020) 5 SCC 1)

the facts and all the facts must be made available by record and omitting the facts in their applications but arguing facts which are not there on the record cannot be countenanced.

26. To continue the earlier mentioned theme, it is to be stated that during the hearing of these anticipatory bail petitions, the very fair submission of the learned counsels for petitioners was that several people belonged to YSR Congress Party and these petitioners were there at the alleged scene of offence at the relevant time. The counter filed by the State and the colour prints of broken windscreen of a car filed by the petitioners disclosed one fact. That fact is that the car with broken windscreen belonged to A.1-Sri Jogi Ramesh. People belonged to Telugu Desam Party allegedly broke the windscreen of it. Who broke that and what other acts they committed do not pertain to the present crime in which anticipatory bail is sought. However, during hearing of these petitions State brought to the notice of this Court the general diary entries of Tadepalli Police Station pertaining to F.I.R.No.921 of 2021, F.I.R.No.922 of 2021 and the present case in F.I.R. No.923 of 2021. Showing this general diary it is shown that at 2:00 P.M. on 17.09.2021 the Sub-Inspector of Police arrested Sri Jogi Ramesh who was the sitting

Member of Legislative Assembly (the petitioner in Crl.P.No.4568 of 2024) and eight others and some other persons who are not named therein. It is mentioned in the general diary that Crime No.921 of 2021 under Section 151 Cr.P.C. was registered against them. It is mentioned in the general diary that those people were arrested while they were found at the house of former Chief Minister. For the present purpose it may be recorded that the said general diary entry mentions the names of various people which include Sri Nallamothu Madhu Babu (petitioner No.4) and Sri Medapati Venkata Nagi Reddy (petitioner No.13) in Crl.P.No.5501 of 2024. Be it noted, the present bail petitions pertain to F.I.R.No.923 of 2021 where the offence alleged took place at 11:30 A.M. on 17.09.2021. The above named general diary entry is at 2:00 P.M. Now the next entry shows the car driver of Sri Jogi Ramesh had complained that while the peaceful dharna was held at the house of former Chief Minister Sri Nara Chandra Babu Naidu, certain named individuals broke the car glasses and that car belonged to Sri Jogi Ramesh. It is in that regard for various penal provisions F.I.R.No.922 of 2021 was registered. It is thereafter the general diary entry mentioned that the written information from the informant in the present case in

F.I.R.No.923 of 2021 came and lodged his written information and therefore the crime was registered. Thus from 11:30 A.M. the successive events find mention as above.

27. Based on the above material the submission of the prosecution is that the petitioners who claimed their total innocence have been suppressing material facts before this Court and as even according to the general diary entries, their presence was there and they allegedly suffered certain loss and yet nothing is divulged in the anticipatory bail petition. The submission goes further stating that one who suppressed the necessary material facts do not deserve anticipatory bail.

28. This Court has made a brief record of these submissions only to point out that a total innocence pleaded in the anticipatory bail petition normally make one to think that even without the persons being present there was false accusation against them. The above material shows that this is not a case where a case was registered and is investigated into against persons who are totally unconnected to the incident alleged.

29. One forceful submission from the learned counsels for petitioners is that the first phase of investigation resulted in

issuance of Section 41A Cr.P.C. notice, which the petitioners had complied with and it is subsequent to the change of Government and the political establishment at the helm of affairs aggravated penal provisions were brought into record only with a view to malign these petitioners and such unfair investigation cannot be countenanced. It is to be noticed that as a matter of fact new penal sections were brought on record nearly after three years of registration of crime. It is that aspect which has given rise to the present argument. It has to be mentioned that the questions of political vendetta and *mala fides* are akin to motive for commission of offences or motive for malicious prosecution of accused by the State. Such larger aspects shall fall for consideration at the trial. Mere tardiness in investigation by itself cannot be a ground to think that it is a manipulated prosecution. F.I.R. was registered when there was no political change. People suffered injuries when there was no political change. Investigation progressed when there was no political change. Investigation went into lull and a hiatus took place when there was no political change. That long hiatus can be viewed in two ways. Was it because of political interference the investigation did not progress and did not flourish in the way it was expected

to. If it was so, when the next investigation officer who happened to come subsequent to the change of political establishment cannot blink at the omissions and lapses in investigation. Law commands him to see that the law takes its own course. People are blamed for not doing things as well as for doing things. Such being the case here, it is unnecessary to delve more on this aspect. Such matters require consideration at a different stage.³

30. One of the serious objections raised by the learned counsels appearing for petitioners is that as per the case diary presented here years after lodging F.I.R. and recording Section 161 Cr.P.C. statement of the informant, once again his statement was recorded and this time more additional facts were brought on record and that is a clear manipulation of record and therefore, anticipatory bail shall be granted. The question to be seen in an anticipatory bail petition shall not always be depending on the skill of investigation or the absolute genuineness of the investigation. While law does not cherish accused tampering with the witnesses, law also does not cherish outside influences either dampening the investigation or subverting it. That as a matter of principle, recording statement of a witness by an investigation

³ **Sumedh Singh Saini v. State of Punjab** ((2021) 15 SCC 588)

officer more than once is not impermissible. More so, when there is a change of investigation officer and in the light of much argued change in political administrator recording further statement of a witness cannot be condemned at this stage.⁴ & ⁵

31. The case diary also shows the original informant lodging another information with the police. It is on this the learned counsels for petitioners submit that on the same facts it is unknown to law that police could register another F.I.R. Be it noted, what was subsequently by the informant was not registered as F.I.R. once again. Whatever he tendered would be one that should be considered as his Section 161 Cr.P.C. statement since investigation already commenced and any statement received or recorded would only fall within those provisions. It is perhaps for that reason the case diary shows that on receiving such paper from the original informant the present investigation officer had once again recorded his statement under Section 161 Cr.P.C.

32. The record discloses for addition of new penal provisions a memo was filed before the learned Magistrate by the investigation

⁴ **Uday Chakraborty v. State of W.B.** (AIR 2010 SC 3506)

⁵ **Mohd. Ghouse Mohiuddin v. State of A.P.** (2018 (3) ALT(CRI.) 278 (A.P.))

agency. If the investigation officer felt that he found from facts that additional penal provisions were to be incorporated he was well at his liberty and he was duty bound to do so. The earlier investigation indicated not so serious offences. Therefore Section 41A Cr.P.C. notices were issued and the petitioners were not arrested. All that cannot be said to be a legal hindrance for the investigation officer to probe further into the case. When he discovered more material either through mouth of the witnesses or through the electronic data collected, what he had to do then was to make a record and proceed further as provided by law and precisely that was done by him and therefore there is no violation of law.⁶

33. Learned Senior Counsels appearing for the State submit that the petitioners as well as other accused had no regard to law and this crime incident occurred on 17.09.2021 by which time still there was threat of covid and there was gross violation of covid guidelines. Learned counsels referred to order dated 28.09.2021 of Government of India, Ministry of Home Affairs No.40-3/2020-DM-I(A) which mandated that in continuation of earlier orders there should be covid appropriate behaviour and there were limits

⁶ Pradeep Ram v. State of Jharkhand ((2019) 17 SCC 326)

in gatherings and guidelines concerning space to ensure effective physical distancing were all in place. However, these petitioners and other accused gathered in multitude and violated all that.

34. It is further argued on behalf of the State that these petitioners were granted interim protection during the hearing of these petitions and when Sri Jogi Ramhesh was requested to attend for the purpose of questioning, he accordingly attended but the interaction left a clear impression that he was not furnishing normal information also and he attended along with his learned counsel and on occasions the questions were answered by the learned counsel for Sri Jogi Ramesh. According to the learned Senior Counsel all that is not in accordance with law. Learned Senior Counsel appearing for Sri Jogi Ramesh submits that the counsels presence was never intended to violate the law and since investigation agency offered and requested to take seat he accordingly sat there and the allegation that the petitioner- Sri Jogi Ramesh did not respond appropriately to the questions of the investigation officer was incorrect and the petitioner has been under the protection of Article 20(3) of the Constitution of India on this aspect of the matter. This Court is not inclined to make any further discussion since such aspects by themselves would not

have a bearing in appropriately deciding the prayers made in the present anticipatory bail petitions.

35. According to the learned counsel for petitioners, the nature of the case does not require any custodial interrogation, and it is not the case of the prosecution that these petitioners are flight risk. It is further argued that good part of the investigation is over and therefore, anticipatory bail may be granted.

36. The learned Senior Counsels appearing for respondent-State urged that investigation is at a sensitive stage and it is incomplete and granting anticipatory bail could hinder the ongoing investigation. The nature of the petitioners and the manner in which they conducted themselves are indicative that it is quite likely that they could further influence their followers and associates to influence the witnesses. It is further argued that the nature of the offence and its impact on public are essential conditions to deny anticipatory bail in cases of this nature and for this precedent is cited.⁷

37. Learned Senior Counsels for the State submit that custodial interrogation is qualitatively more elicitation oriented than

⁷ **Pinnelli Ramakrishna Reddy v. State of Andhra Pradesh** (2024 SCC OnLine AP 2747)

questioning a suspect who is well ensconced with a favourable order under Section 438 of Code of Criminal Procedure. In cases of the present nature effective interrogation of an accused is advantageous to find out useful information and also materials which would have been concealed. Success in such interrogation would elude if they are granted anticipatory bail.⁸

38. In summing up, it shall be stated that there is a right for every individual for a peaceful and undisturbed life and that shall be respected, however much the political parties and their supporters may resent the political opinions or activities of other political parties and their members. The facts on record show that the accused reached to the house of Sri Nara Chandra Babu Naidu and committed these acts of violence though he was not the one who had made any statement against anyone who gathered there. Thus, in the name of holding a dharna they reached to a place and targeted a person who happened to be the leader of the opposite party. That in a political democracy events of such nature have always to be deprecated. A normal crime of one against the other is clearly to be distinguished from a case where scores of people gathered to commit violations of

⁸ **State Rep. by the C.B.I. v. Anil Sharma** ((1997) 7 SCC 187)

law. Impact of grant of anticipatory bail particularly in cases of large magnitude creating panic among several people is not appropriate. Considering the acts alleged against the petitioners and the investigative needs, this Court finds that this is not a fit case to grant the prayers of anticipatory bail.

39. In the result, both the Criminal Petitions are dismissed. It must be recorded that the observations made in this order, for the purpose of considering these petitioners, shall not have any bearing in any other further proceedings.

After pronouncing the orders, the learned counsels appearing for petitioners prayed this court to grant interim protection against coercive steps for a period of two or three weeks so as to enable the petitioners to seek their remedies before the Hon'ble Supreme Court of India. In this regard, learned counsels submitted that this court grant such relief and cited ***State of Chattisgarh V. Aman kumar Singh (2023) 6 SCC 559*** and ***Gautam P Navlakha V. The State of Maharashtra 2019 SCC OnLine SC 2022.***

Learned senior counsels appearing for respondent/State opposed the prayer and submit that after pronouncing the order

no further orders could be or need be passed and on dismissal of anticipatory bail petitions no further protection can be granted and cited ***State of Telangana V. Habib Abdullah Jeelani (2017) 2 SCC 779*** and ***Neeharika Infrastructure Private Limited V. State of Maharashtra (2021) 19 SCC 401.***

The rulings cited pertain to cases where interim protections were sought after dismissal of quash petitions. The submissions made on both sides find their answer in ***State of Uttar Pradesh V. Mohd.Afzal 2023 LiveLaw (SC) 566.*** Their Lordships of the Hon'ble Supreme Court of India held that on dismissal of anticipatory bail petitions orders of interim protection cannot be granted since such orders stand contradictory to the order of refusal of anticipatory bail.

In view of the law as referred above, the request made by the learned counsels for petitioners is declined.

Dr. V.R.K.KRUPA SAGAR, J

Date: 04.09.2024

Dvs/lvd

THE HON'BLE JUSTICE Dr. V.R.K.KRUPA SAGAR

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