

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

CRIMINAL PETITION No.3799 of 2015

ORDER:

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The petitioner, who is an accused in Crime No.20 of 2015 of Sanathnagar Police Station, Hyderabad District, filed the present application under Section 438 Cr.P.C., seeking release in the event of his arrest in connection with the above crime registered for an offence punishable under Section 386 of IPC.

The case of the prosecution is that the informant lodged a report alleging that the accused approached him and demanded to give Rs.20,000/- about one week prior to lodging of the report. It is alleged that on 11.01.2015, the accused knocked the doors of the informant, forcibly entered the house of the informant, called him in a high pitch, broken the beer bottle which was in his hand and threatened the informant to kill him, if he fails to give money to the accused. Apprehending danger, the informant is alleged to have ran away from the house seeking help. Basing on these allegations, the present case came to be filed.

Heard learned counsel for the petitioner, the learned Public Prosecutor appearing for the respondent-State and perused the records.

Learned counsel for the petitioner submits that except the statement of the informant, there is no other material to disclose that the petitioner has committed the offence alleged.

A perusal of the averments in the report would show that on the date of incident, the petitioner is alleged to have entered into the house of the informant and then called out the informant in a loud voice. Thereafter, he is alleged to have broken the beer bottle and threatened the informant to kill him if he does not give money to the petitioner. There is no reason to disbelieve the statement of the informant.

Having regard to the circumstances and as the offence is severe in nature, I am not inclined to grant anticipatory bail to the petitioner.

Accordingly, the Criminal Petition is dismissed. However, the petitioner, if so advised, shall surrender before the concerned Magistrate Court and move

an application for grant of bail before appropriate Court after giving prior notice to the Public Prosecutor, in which event the same shall be dealt with either on the same day or at the earliest, in accordance with law.

JUSTICE C. PRAVEEN KUMAR

29.04.2015

vhb