

**HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH**

THURSDAY, THE SEVENTH DAY OF MAY,
TWO THOUSAND AND FIFTEEN
: PRESENT:
THE HON'BLE SRI JUSTICE **M.S.K.JAISWAL**

CRIMINAL PETITION No. 4254 of 2015

Between:
1. R. Vijay, S/o. R.A.Deep
2. Ela Kumar, W/o. R.A.Deep

Petitioners
(Accused 2 & 3 in Cr.No. 115/2015 of
P.S.Kushaiguda, R.R.District)
AND

The State of Telangana, through P.S. Kushaiguda, rep. by P.P., High Court, Hyderabad.

Respondent/Complainant

Petition under Section 438 of Cr.P.C. praying that in the circumstances stated in the grounds filed herein, the High Court may be pleased to direct the SHO, P.S. Kushaiguda, to release the petitioners/Accused No. 2 & 3 on bail in the event of their arrest in Crime No. 115/2015 of P.S. Kushaiguda in the interest of justice and equity.

The Petition coming on for hearing, upon perusing the petition and the grounds filed herein and upon hearing the arguments Sri Pradeep Kumar.S., Advocate for the Petitioners and of the Public Prosecutor (TG) for the Respondent, the Court made the following

ORDER:

This is a petition seeking bail to the petitioners/A-2 and A-3 in the event of being arrested in Crime No.115 of 2015 of Kushaiguda Police Station, Cyberabad alleging offences punishable under Sections 120B, 406, 420, 423, 468 and 379 read with 34 I.P.C.

2. Heard both sides.
3. Perused the material on record.
4. The prosecution case, in brief, is as under:-

A-2 is the husband of the complainant. A-2 and A-3 harassed her both physically and mentally on which a case in Crime No.240 of 2013 for the offence punishable under Section 498-A I.P.C. and Sections 3 and 4 of the Dowry Prohibition Act has been registered at Women Police Station, Saroornagar. After that, A-1 to A-5 conspired together and forged her signature on the cheques which are lying in the custody of A-2, presented the cheque through A-1 and got issued a legal notice alleging that she took hand loan of Rs.5.00 lakhs from A-1 so as to harass her and also to gain wrongfully. Thus, the accused cheated the complainant.

..2..

5. The contention of the learned counsel appearing for the petitioners/A-2 and A-3 is that a false case has been foisted against the petitioners and that they are being subjected to unnecessary harassment in view of the pendency of the crime and they are apprehending arrest at the hands of the police under the influence of the complainant. The petitioners/A-2 and A-3 are said to be the permanent residents of Kothapet, Hyderabad.

6. The record discloses that the investigation is in progress and the statements of the material witnesses have been recorded. Considering the above facts and circumstances, the petitioners/A-2 and A-3 are entitled to the bail as prayed for subject to certain conditions.

7. In the result, the petition is allowed and the petitioners/A-2 and A-3 are directed to surrender themselves before the learned XX Metropolitan Magistrate, Malkajiri, Cyberabad within 15 days from today. On such surrender, the learned Magistrate shall release the petitioners/A-2 and A-3 on their furnishing a personal bond for a sum of Rs.25,000/- (Rupees twenty five thousand only) each together with two sureties for a like sum each to the satisfaction of the said Court and shall further undertake not to interfere with the investigation, shall not leave the country without the permission of the Court, shall cooperate with the investigating agency and appear before them as and when directed.

Sd/- P.Sreenivasulu
ASSISTANT REGISTRAR
// TRUE COPY //
for ASSISTANT REGISTRAR

To

1. The XX Metropolitan Magistrate, Malkajiri, Cyberabad.
2. The SHO, Kushaiguda Police Station, R.R.District.
3. Two CCs to the Public Prosecutor High Court, Hyd(OUT)
4. One CC to Sri Pradeep Kumar.S., Advocate(OPUC)
5. One spare copy.

Note: The name of the Court is Corrected as "XX Metropolitan Magistrate, Malkajiri, Cyberabad" instated of " X Metropolitan Magistrate, Malkajiri, Cyberabad" as per the Court order dated 01-06-2015 in CrI.P.MPs. 4848, 4857, 4849 of 2015 in CrI.P.No. 4254 of 2015, dated 07-05-2015. Substitute this amended order in place of earlier order which was already

dispatched on 8-05-2015.

Asst. Registrar
Sd/- P. Sreenivasulu

HIGH COURT

MSKJ,J

DATED: 07-05-2015
(amended date: 01-06-2015)

AMENDED ORDER

CRL.P.NO. 4254 OF 2015

ANTICIPATORY BAIL

DRAFTED BY: SAH
APPROVED BY:
DRAFTED ON: 08-05-2015

HIGH COURT

MSKJJ

DATED: 07-05-2015

ORDER

CRL.P.NO. 4254 OF 2015

ANTICIPATORY BAIL