

THE HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

CRIMINAL PETITION No.7261 of 2017

ORDER:

This criminal petition is filed by the petitioners-accused Nos.1 and 2, under Section 438 Cr.P.C., seeking pre-arrest bail in Crime No.130 of 2017 on the file of the Station House Officer, K.P.H.B.Police Station, Kukatpally, Cyberabad, registered for the offence punishable under Section 382 IPC.

2. The learned counsel for the petitioners submitted that the petitioners were falsely implicated by the police for statistical purpose. ***Per contra***, the learned Additional Public Prosecutor representing the State submitted that the petitioners herein involved in similar type of cases, therefore, it is not a fit case to grant pre-arrest bail.

3. The case of the prosecution is that on 26.01.2017 at about 8.45 p.m. when the *de facto* complainant was standing at Medhipatnam Bus Stop, suddenly the petitioners herein came on a motor cycle and snatched away the mobile phone of the *de facto* complainant. Basing on the complaint lodged by the complainant, the above case was registered.

4. A perusal of the record reveals that the investigation is in progress. A perusal of the record further reveals that the first petitioner/A1 is an accused in Crime No. 203/2017 registered under Section 382 IPC of KPHB Colony Police station. The second petitioner/A2 is an accused in Crime

No.203 of 2017 registered under Section 382 IPC of KPHB Colony Police Station. Petitioners 1 and 2/A1 and A2 are involved in Crime Nos.158 and 159 of 2017 registered under Section 382 IPC of Kukatpally Police Station. A perusal of the record further reveals that the petitioners are involved in number of cases. As rightly pointed out by the learned Additional Public Prosecutor, if the petitioners are released on bail, the possibility of threatening the prosecution witnesses cannot be ruled out completely.

5. Taking into consideration the nature of offence alleged to have been committed by the petitioners and the stage of investigation, this Court is of the considered view that it is not a fit case to grant pre-arrest bail to the petitioners.

6. In the result, the criminal petition is dismissed.

4th September, 2017
Rns

T.SUNIL CHOWDARY, J