

**HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH
FRIDAY, THE EIGHTH DAY OF DECEMBER
TWO THOUSAND AND SEVENTEEN**

:PRESENT:
THE HON'BLE DR. JUSTICE SHAMEEM AKTHER

CRL. P. NO:3770 of 2017

Between:

G. Bal Reddy S/o Late G R Reddy,

..... Petitioner/Accused No.1

AND

The State of Telangana, through P.S Nacharam, Hyderabad, rep. by Public Prosecutor,
High Court at Hyderabad.

.....Respondent

Petition under Section 438 of Cr.P.C., praying that in the circumstances stated in the petition and the grounds filed herein, the High Court may be pleased to grant interim anticipatory bail to the petitioner/Accused No.1 herein in the above Crime FIR No. 164 of 2017 dt: 04-03-2017, on the file of P.S. Jawahar Nagar P.S, Rachakonda, pending disposal of the anticipatory bail application;

Counsel for the Petitioner : SRI C.RAGHU

Counsel for the Respondent : ADDL. PUBLIC PROSECUTOR (TS)

The Court made the following ORDER:

“This Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973, is filed by the petitioner/accused No.1, for grant of anticipatory bail in the event of his arrest in Crime No.164 of 2017 on the file of the Jawaharnagar Police Station, Rachakonda Commissionerate, registered for the offences punishable under Sections 403, 406, 409, 420 of I.P.C.

2. Heard the learned counsel for the petitioner/accused No.1, learned Additional Public Prosecutor representing the respondent-State and perused the record.

3. The learned counsel for the petitioner/accused No.1 would submit that the petitioner/accused No.1 is not indulged in any kind of cheating. He acknowledges the receipt of money from the de-facto complainant and others under an agreement, dated 04.06.2008, for the development of the land situated at Kapra village. A notice, dated 25.05.2009, was issued by the petitioner/accused No.1 to the de-facto complainant and two others; and, the de-facto complainant and two others have sent a reply notice, dated 15.07.2009, to the petitioner/accused No.1 and two others stating

that the de-facto complainant Inder Oberoi was absconding from many months and that the petitioner/accused No.1 and his partners shall not deal with Inder Oberoi with regard to the subject agreement. Further, there is also a letter, dated 22.02.2008, from the Inspector of C.B.I., wherein, it is alleged that an amount of Rs.5 Crores paid under the above referred agreement, was the investment of different persons and the petitioner/accused No.1 and his partners were directed not to refund the amount to the de-facto complainant and others. It is also brought to the notice of this Court in the course of submissions that the petitioner/accused No.1 and the other partners of the firm are ready to refund Rs.5 Crores to the de-facto complainant and his partners any time; and, in view of the exchange of the above referred notices between the parties, the petitioner/accused No.1 and the other partners could not refund the amount received under the agreement, dated 04.06.2008. It appears that the dispute between the parties is civil in nature. Having regard to the submissions made and the material collected so far, the petitioner/accused No.1 can be granted bail under Section 438 of Cr.P.C. on some conditions.

4. Accordingly, the petitioner/accused No.1 is directed to surrender before the Station House Officer, Jawaharnagar Police Station, Rachakonda Commissionerate, within a period of 15 days from the date of this order. On such surrender, the Station House Officer, Jawaharnagar Police Station, Rachakonda Commissionerate, shall release the petitioner/accused No.1 on bail on his executing a personal bond for a sum of Rs.25,000/- (Rupees twenty five thousand only) with two sureties in a like sum each to his satisfaction. After being released on bail, the petitioner/accused No.1 shall report before the Station House Officer, Jawaharnagar Police Station, Rachakonda Commissionerate, on every Sunday between 08:00 AM and 10:00 AM, till filing of the charge-sheet. The petitioner/accused No.1 shall also abide by the conditions stipulated in Section 438 (2) of the Code of Criminal Procedure, 1973, and shall cooperate with the investigation officer in the investigation of the case.

5. The Criminal Petition is, accordingly, allowed.

Miscellaneous petitions, if any, pending in this Criminal Petition, shall stand closed.”

//TRUE COPY//

ASSISTANT REGISTRAR

For ASSISTANT REGISTRAR

To

1. The Addl. Metropolitan Sessions Judge, Cyberabad, at L.B. Nagar, Ranga Reddy District.
2. The XXI Metropolitan Magistrate, Mechal, Rachakonda, Medchal District.
3. The Station House Officer, Jawaharnagar Police Station, Rachakonda Commissionerate, Rachakonda.
4. Two CCs to Public Prosecutor, (TS), High Court of Judicature, at Hyderabad (OUT)
5. One CC to Sri C. Raghu, Advocate (OPUC)
6. one Spare Copy



HIGH COURT

**AB
DRAFTED ON 12-12-2017**

DR.SA,J

DATE: 8-12-2017

ORDER

CRL.P. NO. 3770 OF 2017



DIRECTION