

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

WEDNESDAY, THE TWENTY NINTH DAY OF NOVEMBER,
TWO THOUSAND AND SEVENTEEN

PRESENT
THE HON'BLE DR JUSTICE SHAMEEM AKTHER

CRL.P.No. 10886 of 2017

Between:
Mohammed Ilyas Ahmed, S/o. Munawar Ahmed

Petitioner/Accused No1

AND

The State of Telangana, Rep. by its Public Prosecutor, High Court at Hyderabad.

Respondent/Complainant

COUNSEL FOR THE PETITIONER: SRI. M.A.K. MUKHEED

COUNSEL FOR THE RESPONDENT : THE PUBLIC PROSECUTOR (TG)

Petition under Section 438 of Cr.P.C., praying that in the circumstances stated in the memorandum of grounds filed herein, the High Court may be pleased to direct the S.H.O. P.S. Banjara Hills, Hyderabad or any arresting officer to release the petitioner/Accused No.1 on bail in the event of his arrest in Crime No. 872 of 2017 of P.S. Banjara Hills, Hyderabad pending enquiry investigation and trial in the above case.

The Court made the following Order:

Heard learned counsel for the petitioner/A.1, learned Additional Public Prosecutor for the respondent State and perused the record.

This petition is filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner/A.1 in Crime No.872 of 2017 of Banjara Hills Police Station, Hyderabad, for the offences punishable under Sections 328, 341, 188 IPC and Section 4 and 20(2) of COTP Act, 2003.

During the course of submissions made by both the counsel, it is brought to the notice of this Court that some of the accused were remanded to judicial custody and produced before the learned III Additional Metropolitan Magistrate, Hyderabad and on the date of remand itself, those accused were granted bail. While dealing with their bail application, it was observed that Section 328 IPC has no application to the case on hand.

Having regard to the nature of allegations and the material collected so far and as there is apprehension of arrest for non-bailable offences, the petitioner is entitled for bail.

In the result, the Criminal Petition is allowed directing the petitioner/A.1 to surrender before the Station House Officer, Banjara Hills Police Station, Hyderabad, within 15 days from the date of this order. On such surrender, the said Station House Officer shall enlarge the petitioner/A.1 on bail on executing a personal bond of Rs.10,000/- (Rupees ten thousand only) with two sureties for a like sum each to his satisfaction. On such release, the petitioner/A.1 shall abide by the conditions mentioned in Section 438(2) Cr.P.C. Further, he shall attend before the said Station House Officer on every Sunday between 8.00 and 9.00 a.m. till filing charge sheet.

ASSISTANT REGISTRAR

//TRUE COPY//

for ASSISTANT REGISTRAR

To

1. The Special Judge for Economic Offences, at Hyderabad
2. The III Additional Chief Metropolitan Magistrate, at Hyderabad City.
3. The Station House Officer, Banjara Hills Police Station, Hyderabad
4. Two CCs to Public Prosecutor (TG), High Court, Hyderabad (OUT)
5. One CC to Sri. M.A.K. Mukheed, Advocate (OPUC)
6. One Spare copy

KK



HIGH COURT

Dr.SAJ

DT. 29-11-2017

BAIL ORDER

CRL.P.NO. 10886 OF 2017

DIRECTION



Drafted by: KK
Drafted on: 4-12-2017

HIGH COURT

Dr.SAJ

DT. 29-11-2017



BAIL ORDER

CRL.P.NO. 10886 OF 2017

DIRECTION