

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

MONDAY, THE FOURTH DAY OF DECEMBER,
TWO THOUSAND AND SEVENTEEN

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

CRL.P .No. 11305 of 2017

Between:

Kalla Venkata Srinivasa Shiva Kumar S/o K. Madhusudhan Rao

..... Petitioner/Accused No.2

AND

The State of Telangna, Through S.H.O P.S. Koyyur, Jayashanker-Bhupalapalli
District, Rep by its Public Prosecutor, High Court at Hyderabad

Respondent/Complainant

Petition under Section 438 of Cr.P.C. praying that in the circumstances stated in the petition filed herein, the High Court may be pleased to enlarge the petitioners/Accused No. 2 on bail in the event of their arrest on bail in Crime no. 88/2017 on the file of Koyyur Police Station Jayashakar-Bhupalapalli District

The petition coming on for hearing, upon perusing the Petition filed in support thereof and upon hearing the arguments of Sri C. HARI PREETH, for the petitioner and of learned Public Prosecutor (TG) for the respondent-State, the Court made the following

ORDER:

This Criminal Petition is filed under Section 438 of Cr.P.C. for grant of anticipatory bail to the petitioner-A.2 in Crime No.88 of 2017 of Koyyur Police Station, Jayashankar-Bhupalapalli, Karimnagar District, registered for the offences punishable under Sections 468, 471, 420, 409 r/w Section 34 I.P.C.

2. Heard the learned counsel for the petitioner-A.2 and the learned Additional Public Prosecutor appearing for the respondent-State, apart from perusing the material available on record.

3. The learned counsel for the petitioner-A.2 would submit that the petitioner-A.2 is innocent person and he is falsely implicated in this case; and

ultimately, prayed to grant bail to the petitioner-A.2 under Section 438 Cr.P.C.

4. Learned Additional Public Prosecutor opposed the grant of bail to the petitioner-A.2 under Section 438 Cr.P.C.

5. The material on record reveals that the petitioner-A.2 has sanctioned three crop loans on 03.11.2014, 23.11.2014 and 24.01.2015 to different persons. The said crop loans were repaid. The enquiry was conducted with regard to the alleged involvement of this petitioner-A.2 in sanctioning the subject loans fraudulently. The enquiry officer opined to drop the criminal proceedings against the petitioner-A.2. The allegation is that pattadar passbooks were fabricated and number of crop loans were obtained by the farmers. Whether the petitioner-A.2 involved in the above crime can only be determined after full-fledged trial. Under these circumstances, the petitioner-A.2 can be granted bail under Section 438 Cr.P.C.

6. In the result, the petitioner-A.2 is directed to surrender before the Station House Officer, Koyyur Police Station, Jayashankar-Bhupalapalli, Karimnagar District, within a period of 15 days from today. On such surrender, the Station House Officer, Koyyur Police Station, shall release the petitioner-A.2 on bail on petitioner-A.2 executing a personal bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties each for a like sum to the satisfaction of the same S.H.O. On release, the petitioner-A.2 shall abide by the conditions mentioned in Section 438(2) Cr.P.C. and cooperate with the investigating officer. The petitioner-A.2 shall also attend before the Station House Officer, Koyyur Police Station, on every Sunday between 10-00 a.m. and 11-00 a.m. till filing of the charge sheet.

7. Accordingly, this Criminal Petition is partly allowed.

//TRUE COPY//

ASSISTANT REGISTRAR

For ASSISTANT REGISTRAR

To

- 1 The Additional Judicial Magistrate of First Class at Manthani
- 2 The Station House Officer, Koyyur Police Station Jaya Shanker-Bhupalapalli District.
- 3 One CC to C. HARI PREETH, Advocate (OPUC)
- 4 Two CCs to Public Prosecutor (TG), High Court of Judicature at Hyderabad. (OUT)
- 5 One spare copy.



HIGH COURT

DR.SA,J

DATE: 04-12-2017

ORDER

CRL.P. NO. 11305 OF 2017

DIRECTION



HIGH COURT

Avs

Date of Drafting: 05-12-2017

DR.SA,J

DATE: 04-12-2017

ORDER

CRL.P. NO. 11305 OF 2017

DIRECTION

