

**HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH
THURSDAY, THE SIXTEENTH DAY OF NOVEMBER, TWO THOUSAND AND
SEVENTEEN
: PRESENT :
THE HONOURABLE DR JUSTICE SHAMEEM AKTHER**

CRLP .No. 10935 of 2017

Between:-

1. Shyam Nandan Singh, S/o. Ramakanth Singh
2. Anil Kumar Singh, S/o. Shyam Nandan Singh
3. Smt Renu Singh, W/o. Anil Kumar Singh
4. Sunil Kumar Singh, S/o. Shyam Nandan Singh
5. Amresh Kumar Singh, S/o. Shyam Nandan Singh.

..... Petitioners/Accused 1 to 5

AND

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

...Respondent/Complainant.

Petition filed under Section 438 of Cr.P.C. praying that in the circumstances stated in the petition and grounds thereof, the High Court may be pleased to grant anticipatory bail to the Petitioners/Accused 1 to 5 herein and direct the SHO, P.S. Balanagar, Cyberabad to release the petitioners on bail in the event of their arrest in Crime No. 333 of 2017 on the file of the P.S. Balanagar, Cyberabad

The petition coming on for hearing, upon perusing the memorandum of grounds filed in support thereof and upon hearing the arguments of Sri V.R. Machavaram, Advocate for the Petitioners and the Addl. Public Prosecutor(TS) for the Respondent-State, the Court made the following

ORDER :-

“Heard learned counsel for the petitioners/A.1 to A.5 and 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 petitioners/A.1 to A.5 in Crime No.333 of 2017 of Balanagar Police Station, Cyberabad for the offences punishable under Sections 420 and 506 read with Section 34 IPC.

The accusation is that the petitioners have given cheques to the de facto complainant for the purchase of polymers. Those cheques were dishonoured. So, the de facto complainant filed C.C.Nos.28 and 29 of 2013 before IX Metropolitan Magistrate, Kukatpally and those cases are pending. It is alleged that these petitioners are indulging in similar kind of offences. The proceedings in those two cases were stayed as per the orders in CrI.P.Nos.6871 and 6870 of 2013. Already, there is litigation with regard to the dishonour of the cheques. Therefore, the application of the provisions under Sections 420 and 506 read with Section 34 IPC can only be determined by the investigating officer and then by the Court concerned. In view of nature of allegations, it is a fit case to grant bail to the petitioners/A.1 to A.5 under Section 438 Cr.P.C.

Contd.2...

In the result, the Criminal Petition is allowed, directing the petitioners/A.1 to A.5 to surrender before the Station House Officer, Balanagar Police Station, Cyberabad, within 15 days from the date of this order. On such surrender, the said Station House Officer shall enlarge the petitioners/A.1 to A.5 on bail on each of them executing a personal bond of Rs.10,000/- (Rupees Ten Thousand only) with two sureties for a like sum each to his satisfaction. The petitioners/A.1 to A.5 shall abide by the conditions mentioned in Section 438(2) Cr.P.C. and cooperate with the investigation.”

ASSISTANT REGISTRAR

//TRUE COPY//

for ASSISTANT REGISTRAR

To

- 1.The XXIV Metropolitan Magistrate at Kukatpally, Cyberabad.
- 2.The IX Metropolitan Magistrate at Kukatpally, Cyberabad.
- 3.The Station House Officer, Balanagar Police Station, Cyberabad.
- 4.Two CCs to Public Prosecutor(TS), High Court of Judicature at Hyderabad.
(OUT)
- 5.One CC to Sri V.R. Machavaram, Advocate(OPUC)
- 6.One spare copy.

TKK



HIGH COURT

DR.SA.J

DT.16-11-2017.

**ANTICIPATORY
BAIL ORDER**



CRL.P.No. 10935 of 2017

**RELEASE THE PETITIONERS
ON BAIL IN THE EVENT
OF THEIR ARREST.**

**DRAFTED BY TKK
DT.17-11-2017.**

HIGH COURT

DR.SA.J

DT.16-11-2017.



**ANTICIPATORY
BAIL ORDER**

CRL.P.No. 10935 of 2017

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