

**HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH
MONDAY, THE TWENTY SEVENTH DAY OF NOVEMBER
TWO THOUSAND AND SEVENTEEN**

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

CRL. P. NO:11006 of 2017

Between:

V.Dayanand S/o. Late. V.Chinna Mallaiah, aged about 43 years, Occ:Indian Army
Employee, Permanent Resident of H.No. 9-123, Ambedkar Nagar Colony, Hakimpet,
Shamirpet, Ranga Reddy District Presently working at J& K (Accused No.2)

..... Petitioner

AND

State of Telangana, Rep. by its Public Prosecutor, High Court of Judicature at Hyderabad
through SHO, Jawaharnagar P.S., Ranga Reddy District (Rachakonda District)

.....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 direct to release the petitioner on anticipatory bail in the event of his arrest in Crime No. 553 of 2017 dated 13.07.2017 on the file of the Jawaharnagar P.S., Rachakonda District (Ranga Reddy District).

Counsel for the Petitioner : SRI C.SHANMUKHA RAO

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

The Court made the following Order:

“This Criminal Petition, under Section 438 of Cr.P.C., is filed by the petitioner/accused No.2, seeking anticipatory bail in the event of his arrest in connection with F.I.R. No.553 of 2017, on the file of Jawaharnagar Police Station, Rachakonda District, registered for the offences under Sections 420, 467, 468, 471, 448, 427 and 506 of I.P.C.

Heard the learned counsel for the petitioner/A.2, learned Additional Public Prosecutor appearing for the respondent-State, and perused the record.

As per the material on record, a suit in O.S. No.364 of 2015 is filed by the *de-facto* complainant for specific performance of contract and delivery of possession of the subject property. The prayer to deliver the possession is also indicated in the pleadings of the said suit. The issue between the parties appears to be civil in nature.

Under these circumstances, the petitioner/A.2 is entitled to anticipatory bail on some conditions. Accordingly, the petitioner/A.2 is directed to surrender himself before the Station House Officer, Jawaharnagar Police Station, Rachakonda district, within 15 days from the date of this order and on such surrender, the said Station House Officer shall release the petitioner/A.2 on bail, on his executing a personal bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties for a like sum each to the satisfaction of the said Station House Officer. On release, the petitioner/A-2 is directed to attend before the Station House Officer, Jawaharnagar Police Station, on every Sunday between 08:00 and 09:00 a.m. till filing of charge sheet. Further, the petitioner/A-2 is also directed to abide by the conditions mentioned under Section 438(2) Cr.P.C. and shall co-operate with the Investigation Officers.

Accordingly, with the above directions, the Criminal Petition is allowed.

In consequence, miscellaneous petitions, if any, pending in this Criminal Petition shall stand closed.”

//TRUE COPY//

ASSISTANT REGISTRAR

For ASSISTANT REGISTRAR

To

1. The XXI Metropolitan Magistrate, Medchal, Rachakonda, Medchal District.
2. The Station House officer, Jawaharnagar Police Station, Ranga Reddy District (Rachakonda District)
3. Two CCs to Public Prosecutor, (TS), High Court of Judicature, at Hyderabad (OUT)
4. one CC to Sri C. Shanmukha Rao, Advocate (OPUC)
5. one Spare Copy

HIGH COURT

**AB
DRAFTED ON 28-11-2017**

DR.SA,J

DATE: 27-11-2017



ORDER

CRL.P. NO. 11006 OF 2017

DIRECTION