

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

CRLP .No. 11669 of 2017

Between:-

- 1.Thota Malleswar Rao, S/o. Suryanarayana
- 2.Dasari Ramu, S/o. Nageswara Rao
- 3.Dasari Nageswara Rao, S/o. Sriramulu

..... Petitioners/Accused Nos. 2, 4 & 5

AND

The State of Andhra Pradesh, rep. by its Public Prosecutor,
High Court of Judicature at Hyderabad, For the State of Telangana and the
State of Andhra Pradesh.

...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 release the Petitioners/Accused Nos. 2, 4 & 5 on bail in the event of their arrest in Crime No. 48 of 2017 on the file of Police Station, Tadepalligudem Town Police Station, West Godavari District.

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

ORDER :-

“This Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973 (for short, ‘Cr.P.C.’), is filed by the petitioners/accused Nos.2, 4 and 5 for grant of anticipatory bail in the event of their arrest in connection with Crime No.48 of 2017 of Tadepalligudem Town Police Station, West Godavari District, registered for the offence punishable under Section 420 read with 34 I.P.C.

2. Heard learned counsel for the petitioners/accused Nos.2, 4 and 5, learned Public Prosecutor representing the respondent-State and perused the record.

3. The material on record reveals that accused No.1 borrowed money from the *de facto* complainant and some other persons. He started a wine shop. Thereafter, accused No.1 closed the said wine shop and absconded. It is also alleged that the *de facto* complainant invested Rs.7,00,000/- in the wine shop that was run by accused No.1 vide G.S.No.172. The specific allegation against these petitioners is that when accused No.1 disappeared from the Village taking loan from number of persons, these petitioners said to have taken away the household furniture, innova car, motor bike etc., from the house of accused No.1.

4. It is submitted on behalf of the petitioners that accused No.1 indebted to these petitioners also. To pressurise these petitioners, this case is foisted against them.

Contd.2...

5. The specific other allegation in the report, dated 21.02.2017, lodged with the police is that these petitioners have threatened and abused the *de facto* complainant.

6. Having regard to the nature of allegations and the material on record, the petitioners/accused Nos.2, 4 and 5 are entitled to bail under Section 438 Cr.P.C.

7. In the result, the petitioners/accused Nos.2, 4 and 5 are directed to surrender before the Station House Officer, Tadepalligudem Town Police Station, West Godavari District, within a period of fifteen days from the date of this order. On such surrender, the said Station House Officer shall release the petitioners/accused Nos.2, 4 and 5 on bail on each of them 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 petitioners/accused Nos.2, 4 and 5 shall abide by the conditions mentioned in Section 438(2) Cr.P.C. and co-operate with the Investigating Officer. Further, the petitioners/accused Nos.2, 4 and 5 shall appear before the Station House Officer, Tadepalligudem Town Police Station, West Godavari District, on every Sunday between 09:00 AM and 10:00 AM till filing of the charge sheet.

8. Accordingly, the Criminal Petition is allowed."

//TRUE COPY//

ASSISTANT REGISTRAR

for ASSISTANT REGISTRAR

To

- 1.The Special Judge for Trial of Cases under SCs & STs. (POA) Act-cum-VIII Additional District and Sessions Judge, West Godavari District at Eluru.
- 2.The Station House Officer, Tadepalligudem Town Police Station, West Godavari District.
- 3.Two CCs to Public Prosecutor(AP), High Court of Judicature at Hyderabad. (OUT)
- 4.One CC to Sri A. Prabhakar Rao, Advocate(OPUC)
- 5.One spare copy.

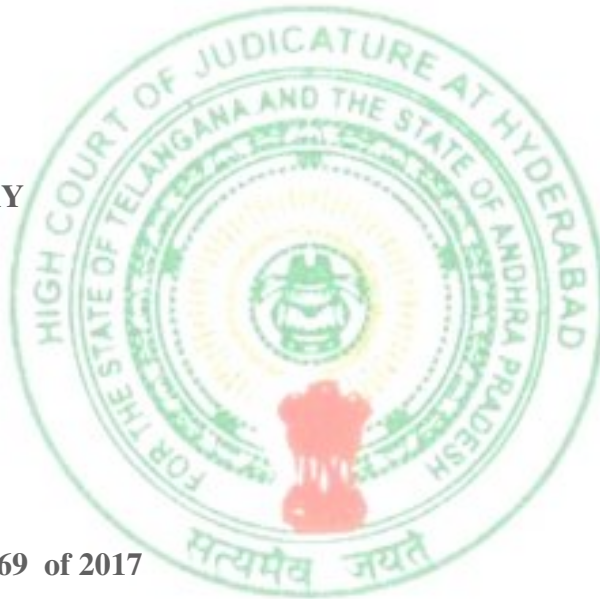
TKK

HIGH COURT

DR.SA.J

DT.06-12-2017.

**ANTICIPATORY
BAIL ORDER**



CRL.P.No. 11669 of 2017

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

**DRAFTED BY TKK
DT.07-12-2017.**

HIGH COURT

DR.SA.J

DT.06-12-2017.



**ANTICIPATORY
BAIL ORDER**

CRL.P.No. 11669 of 2017

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