

**HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH
TUESDAY, THE TWENTY SIXTH DAY OF DECEMBER, TWO THOUSAND AND
SEVENTEEN
: PRESENT :
THE HONOURABLE SMT JUSTICE T. RAJANI
CRLP .No. 12466 of 2017**

Between:-

- 1.Chintaloori Srinivasa Rao, S/o. Govinda Rao
- 2.Chintaloori Govinda Rao, S/o. (Late) Appala Suryam
- 3.Chintaloori Lakshmi, w/o. Govinda Rao

..... Petitioners/Accused Nos. 1 to 3.

AND

- 1.The State of Andhra Pradesh, Rep. by its Public Prosecutor, High Court of Judicature at Hyderabad, For the State of Telangana & the State of Andhra Pradesh, Hyderabad.
- 2.The SHO, Padmanabham Police Station, Visakhapatnam District.
- 3.Kella Annaji Rao, S/o. Varahalu, Occ : Business, R/o. Kondapeta (V), Rajam (M), Srikakulam District.

.....Respondent/Complainant.

Petition filed under Sections 438 of Cr.P.C. praying that in the circumstances stated in the Grounds of Criminal Petition, the High Court may be pleased to grant anticipatory bail to the Petitioners in a false crime registered vide FIR No. 94/2017, dated 04.12.2017 U/s. 306 & 498-A IPC and direct the second respondent to enlarge the petitioners on pre arrest bail in the event of the arrest in the interest of justice.

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

“This petition is filed seeking for grant of anticipatory bail to the petitioners, who are accused Nos.1 to 3 in Crime No.94 of 2017 on the file of Padmanabham Police Station, Visakhapatnam.

2. Heard the counsel for the petitioners and the Public Prosecutor appearing for respondent Nos.1 and 2. No notice was issued to respondent No.3. However, considering that he is a formal party, this petition is being disposed of.

3. As can be seen from the allegations in the complaint, which is given by the father of the deceased, A1 manhandled the deceased on two or three occasions. So far as the allegations against A2 and A3 are concerned, this Court opines that the allegations levelled against them are not grave in nature.

4. Considering the nature of allegations alleged against petitioners, this court opines that this is a fit case to grant anticipatory bail only to petitioner Nos. 2 and 3.

5. Accordingly, the criminal petition so far as petitioner Nos.2 and 3 is concerned, is allowed and the petition so far as petitioner No.1 is dismissed.

The petitioner Nos.2 and 3/A.2 and A.3 are directed to surrender before the Station House Officer, Padmanabham Police Station, Visakhapatnam District, within 15 days from the date of this order. On such surrender, the petitioner Nos.2 and 3/A.2 and A3 shall be released on bail on their executing personal bonds for a sum of Rs.10,000/- (Rupees ten thousand only) each with two sureties each in a like sum each to the satisfaction of the above Station House Officer. Further, on such release, petitioner Nos.2 and 3/A.2 and A3 shall abide by the conditions, as mentioned under Section 438(2) Cr.P.C., as under:

Contd.2...

- i) The petitioner Nos.2 and 3/A2 and A3 shall make themselves available for interrogation by a police officer as and when required.
- ii) The petitioner Nos.2 and 3/A2 and A3 shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;
- iii) The petitioner Nos.2 and 3/A2 and A3 shall not leave India without the previous permission of the Court.

The Police are directed to follow the guidelines enunciated by the Supreme Court in *Arnesh Kumar v. State of Bihar and another (Crl.Appeal No.1277 of 2014)*¹, before effecting the arrest of petitioner No.1.

As a sequel, the miscellaneous applications, if any pending, shall stand closed.”

ASSISTANT REGISTRAR

//TRUE COPY//

for ASSISTANT REGISTRAR

To

- 1.The Station House Officer, Padmanabham Police Station, Visakhapatnam City.
- 2.Two CCs to the Public Prosecutor(AP), High Court at Hyd.(OUT)
- 3.One CC to Sri D.V. Rao, Advocate(OPUC)
- 4.One spare copy.

TKK

¹ (2014) 8 SCC 273

HIGH COURT

TR.J

DT.26-12-2017.

**ANTICIPATORY
BAIL ORDER**



CRL.P.No. 12466 of 2017

**RELEASE THE PETITIONER NOS. 2 & 3
ON BAIL IN THE EVENT OF
THEIR ARREST**

**DRAFTED BY TKK
DT.27-12-2017.**

HIGH COURT

DR.SA.J

DT.26-12-2017.



**ANTICIPATORY
BAIL ORDER**

CRL.P.No. 12466 of 2017

**RELEASE THE PETITIONER NOS. 2 & 3
ON BAIL IN THE EVENT OF
THEIR ARREST.**