

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

CRLP .No. 11754 of 2017

Between:-

Dunna Raju, S/o. Appa Rao

..... Petitioner/Accused No. 2

AND

State of Andhra Pradesh, Rep. by its Public Prosecutor,
High Court 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 granting bail by ordering his enlargement in the event of his arrest in FIR No. 346 of 2017 of Visakhapatnam II Town Police Station.

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

ORDER :-

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

This petition is filed under Section 438 Cr.P.C. to grant anticipatory bail to the petitioner/A.2 in Crime No.346 of 2017 of Visakhapatnam II Town Police Station, Visakhapatnam City, for the offences punishable under Sections 452, 307 and 394 IPC.

As per the material on record and the submissions made by both the counsel, the defacto complainant was having an affair with one Aruna. Aruna is wife of A.3 and sister of A.1. Both these petitioners were arrested and remanded to judicial custody, A.3 was granted regular bail. There are specific allegations that the defacto complainant has developed illegal intimacy with Aruna after taking divorce from his wife and the same was continued for a long time. On one occasion, he eloped Aruna and stayed in Tirupati for one month. Thereafter, Aruna started living with her husband/A.3 and her two children. Again, said Aruna was seen in the company of defacto complainant by A1. It is also contended that the defacto complainant continued illegal intimacy with Aruna. When the petitioner and others caught them red-handedly, on 16.11.2017 this false case is foisted against the petitioner and others.

As per the submissions made, the defacto complainant said to have suffered simple lacerated injury.

The submission of learned counsel for petitioner is that the defacto complainant is a very poor person and having Rs.2,00,000/- in Almirah is highly improbable. Therefore, the question of snatching an amount of Rs.2,00,000/-, gold chain and ring are all invented for the purpose of registering the crime.

In view of the nature of allegations and the background of the defacto complainant, the allegations leveled against the petitioner/ A2 are yet to be established.

Contd.2...

Having regard to the nature of allegations, the petitioner/A.2 is directed to surrender before the Station House Officer, Visakhapatnam II Town Police Station, Visakhapatnam, within 15 days from the date of this order. On such surrender, the said Station House Officer shall release the petitioner/A.2 on bail, on executing a personal bond of Rs.10,000/- (Rupees ten thousand only) with two sureties for a like sum each to his satisfaction. On such release, the petitioner/A.2 shall abide by the conditions mentioned in Section 438(2) Cr.P.C. Further, he shall attend before the Station House Officer concerned on every Sunday between 9.00 and 10.00 a.m. till filing charge sheet.

In the result, the Criminal Petition is allowed.”

ASSISTANT REGISTRAR

//TRUE COPY//

for ASSISTANT REGISTRAR

To

- 1.The Station House Officer, Visakhapatnam II Town Police Station, Visakhapatnam City.
- 2.Two CCs to Public Prosecutor(AP), High Court of Judicature at Hyderabad.
(OUT)
- 3.One CC to Sri K. Sarvabhooma Rao, Advocate(OPUC)
- 4.One spare copy.

TKK

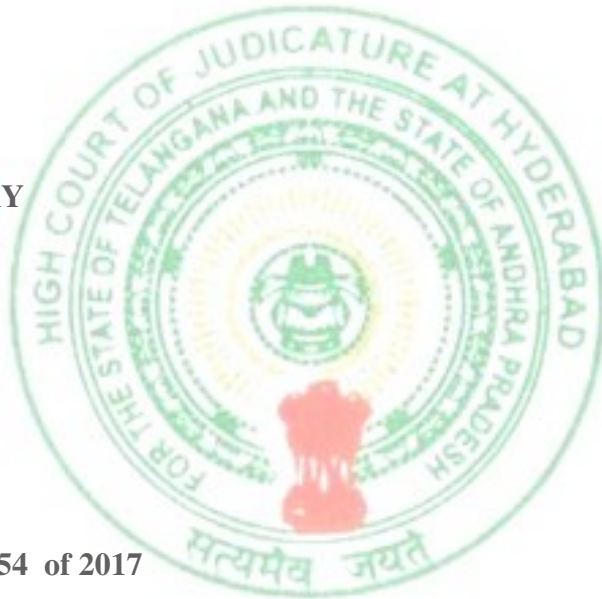


HIGH COURT

DR.SA.J

DT.07-12-2017.

**ANTICIPATORY
BAIL ORDER**



CRL.P.No. 11754 of 2017

**RELEASE THE PETITIONER
ON BAIL IN THE EVENT OF
HIS ARREST.**

**DRAFTED BY TKK
DT.11-12-2017.**

HIGH COURT

DR.SA.J

DT.07-12-2017.



**ANTICIPATORY
BAIL ORDER**

CRL.P.No. 11754 of 2017

**RELEASE THE PETITIOENR
ON BAIL IN THE EVENT
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