

**HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH
WEDNESDAY, THE TWENTY SEVENTH DAY OF DECEMBER, TWO
THOUSAND AND SEVENTEEN
: PRESENT :
THE HONOURABLE SMT JUSTICE T. RAJANI**

CRIMINAL PETITION .No. 12472 of 2017
AND
CRIMINAL PETITION No. 12489 OF 2017

CRL.P.No. 12472 of 2017 :-

Between:-

- 1.Gattem Thrimurthulu, S/o. Suryarao.
- 2.Gattem Satyavathi, W/o. Thrimurthylyu.

..... Petitioners/Accused Nos.2 & 3.

AND

- 1.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, Hyderabad.
- 2.Gatreddy Santhoshi, D/o. Nageswararao, Occ : Teacher,
R/o. Markandrajupeta, Tuni, Visakhapatnam District.

.....Respondents

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 by directing the Police to release them on bail in the event of their arrest in connection with FIR No. 116 of 2017 of Payakaraopeta Police Station, Visakhapatnam District, in the interests of justice.

CRL.P.No. 12489 of 2017 :-

Between:-

Gattem Suresh Babu, S/o. Thrimurthulu.

..... Petitioner/Accused No.1.

AND

- 1.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, Hyderabad.
- 2.Gatreddy Santhoshi, D/o. Nageswararao, Occ : Teacher,
R/o> Markandrajupeta, Tuni, Visakhapatnam District.

.....Respondents

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 petitioner by directing the Police to release him on bail in the event of his arrest in connections with FIR No. 116 of 2017 of Payakaraopeta Police Station, Visakhapatnam District, in the interests 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 Solmon Raju Manchala, Advocate for the Petitioners in both petitions and of Public Prosecutor(AP) on behalf of Respondent No.1-State in both petitions, the Court made the following **COMMON ORDER :-**

“Criminal Petition No. 12472 of 2017 is filed by the petitioners/A-2 and A-3, while Criminal Petition No. 12489 of 2017 is filed by the petitioner/A-1 under section 438 of Cr.P.C., seeking to enlarge them on bail in anticipation of their arrest in Crime No. 116 of 2017 of Payakaraopeta Police Station, Visakhapatnam district, registered for the offences punishable under section 354 [c], 384 read with section 34 of IPC.

Contd..2..

2. Heard the learned counsel for the petitioners A-1 to A-3 and the learned Public Prosecutor for the respondent/State.

3. The learned counsel for the petitioners took this Court through the allegations made by the defacto complainant in her telugu written complaint, to the Sub-Inspector of Police, Payakaraopeta Police Station which show that she made categorical allegations against A-1 and omnibus allegation against the petitioners/A-2 and A-3. Hence, in the light of the said fact, the petitioners/A-2 and A-3 alone are entitled for bail. But with regard to A-1, the allegations made by her in the complaint seem to be very grave and prima facie, the offences alleged against the petitioner/A-1 get attracted to the provisions of law for which they are booked. Hence, it is not a fit case to grant anticipatory bail to the petitioner/A-1. Hence Criminal Petition No. 12489 of 2017 is dismissed.

4. Considering the nature of the allegations, the petitioners/A-2 and A-3 are found fit to be enlarged on bail and Criminal Petition No. 12472 of 2017 is allowed.

5. Accordingly, the petitioners/A-2 and A-3 in Criminal Petition No. 12472 of 2017 shall be released on bail in the event of their arrest in Crime No.116 of 2017 of Payakaraopeta Police Station, Visakhapatnam district, on each of them executing a personal bond of Rs. 10,000=00 (Rs. Ten Thousand only) with one surety for the like sum each to the satisfaction of Station House Officer, Payakaraopeta Police Station, Visakhapatnam district.

6. Further, on such release, the petitioners shall abide by the conditions mentioned under section 438 [2] of Cr.P.C., as under :

- i) The petitioners shall make themselves available for interrogation by a police officer as and when required.
- ii) The petitioners 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 petitioners shall not leave India without the previous permission of the court.

As a sequel, miscellaneous petitions if any, pending in these Criminal Petitions shall stand closed.”

ASSISTANT REGISTRAR

//TRUE COPY//

for ASSISTANT REGISTRAR

To

- 1.The Station House Officer, Payakaraopeta Police Station, Visakhapatnam District.
- 2.Two CCs to the Public Prosecutor(AP), High Court at Hyd.(OUT)
- 3.One CC to Sri Solmon Raju Manchala, Advocate(OPUC)
- 4.One spare copy.

TKK

HIGH COURT

TR.J

DT.27-12-2017.

**ANTICIPATORY
BAIL ORDER**



**CRIMINAL PETITION .No. 12472 of 2017
AND
CRIMINAL PETITION No. 12489 OF 2017**

**RELEASE THE PETITIONER 1 & 2 IN CRL.P.NO. 12472
ON BAIL IN THE EVENT OF
THEIR ARREST**

**DRAFTED BY TKK
DT.29-12-2017.**

HIGH COURT

TR.J

DT.27-12-2017.



**ANTICIPTORY
BAIL ORDER**

**CRIMINAL PETITION .No. 12472 of 2017
AND
CRIMINAL PETITION No. 12489 OF 2017**

**RELEASE THE PETITONERS 1 & 2 IN CRL.P.NO. 12472
ON BAIL IN THE EVENT OF
THEIR ARREST**