

**HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH
FRIDAY, THE TWENTY SECOND DAY OF DECEMBER, TWO THOUSAND AND
SEVENTEEN
: PRESENT :
THE HONOURABLE DR JUSTICE SHAMEEM AKTHER
CRLP .No. 12486 of 2017**

Between:-

S. Sreenath Rao, S/o. S. Srinivas Rao.

..... Petitioner/Accused.

AND

The State of Telangana, Through S.H.O., P.S. Kushaiguda,
Rep. by its Public Prosecutor, High Court at Hyderabad..

.....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 enlarge the Petitioner/Accused on Anticipatory bail in the event of his arrest in Crime No. 755 of 2017 of P.S. Kushaiguda, Rachakonda, for the offence punishable under Sections. 448, 307, 380 r/w. 34 IPC.

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

“This Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973, is filed by the petitioner/accused, for grant of anticipatory bail in the event of his arrest in Crime No.755 of 2017 on the file of the Kushaiguda Police Station, Rachakonda Commissionerate, registered for the offences punishable under Sections 448, 324, 380 read with 34 of I.P.C.

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

3. The learned counsel for the petitioner/accused would submit that the name of the petitioner/accused is not mentioned in the First Information Report. Further, in column No.3 of the Remand Report of accused No.1, wherein, the accused No.1 was remanded to judicial custody, the names of accused are shown, but the name of the petitioner/accused is not mentioned and ultimately prayed to allow the application.

4. On the other hand, the learned Additional Public Prosecutor opposed the grant of anticipatory bail to the petitioner/accused.

5. As per the First Information Report, dated 01.11.2017, there is no mention of the name of the petitioner/accused. Further, as per the First Information Report, one Kiranmayi @ Merirani alleged to have taken huge amount belonging to the de-facto complainant and his daughter and left to USA. On the date of alleged offence, i.e., on 01.11.2017, around 11:15 A.M., five unknown persons alleged to have trespassed into the house of the de-facto complainant and caused injuries to him and his wife. As per the submissions made by the learned Additional Public Prosecutor, this petitioner/accused is accused No.7 in this crime. In the fifth page of the remand report, simply it is alleged that accused Nos.1 to 7 are involved in this crime. There is no specific mention of any allegations against the petitioner/accused. Having regard to the submissions made by the learned counsel for both the sides, this Court is inclined to grant bail to the petitioner/accused under Section 438 of Cr.P.C. on some conditions.

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6. Accordingly, the petitioner/accused is directed to surrender before the Station House Officer, Kushaiguda Police Station, Rachaknoda Commissionerate, within a period of 15 days from the date of this order. On such surrender, the Station House Officer, Kushaiguda Police Station, Rachaknoda Commissionerate, shall release the petitioner/accused on bail on his executing a personal bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties in a like sum each to his satisfaction. After release on bail, the petitioner/accused shall report before the Station House Officer, Kushaiguda Police Station, Rachaknoda Commissionerate, on every Sunday between 09:00 AM and 10:00 AM, till filing of the charge-sheet. The petitioner/accused shall also abide by the conditions stipulated in Section 438 (2) of the Code of Criminal Procedure, 1973, and shall cooperate with the investigation officer in the investigation of the case.

7. The Criminal Petition is, accordingly, allowed.

Miscellaneous petitions, if any, pending in this Criminal Petition, shall stand closed.”

ASSISTANT REGISTRAR

//TRUE COPY//

for ASSISTANT REGISTRAR

To

- 1.The XX Metropolitan Magistrate, Rachakonda at Malkajgiri.
- 2.The Station House Officer, Kushaiguda Police Station,
Rachakonda Commissionerate, Ranga Reddy District.
- 3.Two CCs to the Public Prosecutor(TS), High Court at Hyd.(OUT)
- 4.One CC to Sri V. Raghunath, Advocate(OPUC)
- 5.One spare copy.

TKK



HIGH COURT

DR.SA.J

DT.22-12-2017.

**ANTICIPTORY
BAIL ORDER**



CRL.P.No. 12486 of 2017

**RELEASE THE PETITIONER
ON BAIL IN THE EVENT OF
HIS ARRST**

**DRAFTED BY TKK
DT.23-12-2017.**

HIGH COURT

DR.SA.J

DT.22-12-2017.



**ANTICIPATORY
BAIL ORDER**

CRL.P.No. 12486 of 2017

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