

**HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH**

FRIDAY, THE NINETEENTH DAY OF JANUARY,
TWO THOUSAND AND EIGHTEEN
: PRESENT:

THE HON'BLE SMT JUSTICE **T.RAJANI**

CRIMINAL PETITION No. 33 of 2018

Between:

1. Kakarla Madura Vani, W/o. Kakarla Sessa Rao
2. Palavai Jaya Krishna, M/o. G.Srinivasalu
3. Manoj, S/o. Srinivasa Rao
4. Palavai Venkata Lakshmi, W/o. Palavai Guruvaiah

Petitioners
(Accused in Cr.No.379/2017
of P.S.Gudur I Town)

AND

The State of Andhra Pradesh, rep .by Public Prosecutor, High Court of Hyderabad, at
Hyderabad.

Respondent

Petition under Section 438 of Cr.P.C. praying that in the circumstances stated in the grounds filed herein, the High Court may be pleased to enlarge the petitioners on bail in the event of their arrest in connection with FIR.No. 379 of 2017 on the file of P.S, Gudur I Town.

The Petition coming on for hearing, upon perusing the petition and the grounds filed herein and upon hearing the arguments of Sri Rajagopallavan Tayi, Advocate for the Petitioners and of the Public Prosecutor (AP) for the Respondent, the Court made the following

ORDER:

“ This petition is filed seeking for grant of anticipatory bail to the petitioners, who are A3, A4, A7 and A10, in Crime No.379 of 2017 on the file of Gudur I Town Police Station, Sri Potti Sri Ramulu Nellore District. The offences alleged are under Sections 420, 468, 471, 506 and 120-B IPC.

2. Heard the counsel for the petitioners and the Public Prosecutor appearing for the respondent.

3. The counsel for the petitioners submits that the role of these accused, as per the case of the prosecution, is that they received the amount as per the directions of A1 and A2 and that they are not the participants of the crime. But the manner in which the transaction took place and the relationship between the parties would suggest that these petitioners have knowledge about the transaction and that was being done between A1 and A2. However, from the nature of the allegations in the complaint, it can be understood that A10, who is the mother of A1 and A2, had no role in the entire transaction and only omni bus allegations are made against A10.

4. In view of the above circumstances, *prima facie*, it appears that the allegations levelled against the petitioner No.4, who is A10, are not genuine. Hence, this court opines that this is a fit case for granting anticipatory bail only insofar as petitioner No.4. So far as petitioner Nos.1 to 3/A3, A4 and A7 is concerned, this court opines that this is not a fit case for granting anticipatory bail.

5. Accordingly, the Criminal Petition is partly allowed. The petitioner No.4/A10, is directed to surrender before the Station House Officer, Gudur I Town Police Station, Sri Potti Sri Ramulu Nellore District, within 15 days from the date of this order. On such surrender, the petitioner No.4/A10 shall be released on bail on her executing a personal bond for a sum of Rs.20,000/- (Rupees twenty thousand only) with two sureties for a like sum each to the satisfaction of the said Station House Officer. Further, on such release, the petitioner shall abide by the conditions mentioned under Section 438(2) Cr.P.C., as under:

..2..

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

The Criminal Petition insofar as petitioner Nos.1 to 3/A3, A4 and A7 is concerned, is dismissed. However, the petitioner Nos.1 to 3/A3, A4 and A7 can obtain regular bail by surrendering themselves before the court below, as was done by the other accused.

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

ASSISTANT REGISTRAR

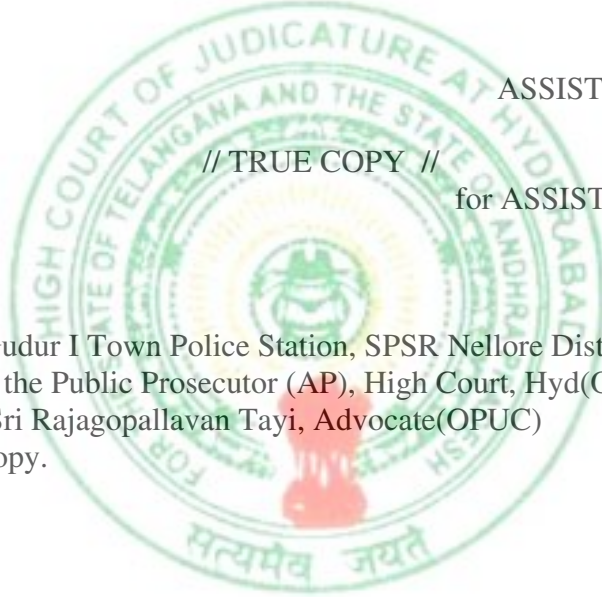
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for ASSISTANT REGISTRAR

To

1. The SHO, Gudur I Town Police Station, SPSR Nellore District.
2. Two CCs to the Public Prosecutor (AP), High Court, Hyd(OUT)
3. One CC to Sri Rajagopallavan Tayi, Advocate(OPUC)
4. One spare copy.

SAH



HIGH COURT

TRJ

DATED: 19-01-2018

ORDER

CRL.P.NO. 33 OF 2018



**ANTICIPATORY BAIL
TO PETITIONER NO.4**

**DRAFTED BY: SAH
APPROVED BY:
DRAFTED ON: 22-01-2018**

HIGH COURT

TRJ



DATED: 19-01-2018

ORDER

CRL.P.NO. 33 OF 2018

**ANTICIPATORY BAIL
TO PETITIONER NO.4**