

**HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND STATE OF ANDHRA PRADESH
TUESDAY, THE THIRTIETH DAY OF JANUARY
TWO THOUSAND AND EIGHTEEN**

:PRESENT:

THE HON'BLE SMT JUSTICE T. RAJANI

CRIMINAL PETITION NO: 610 OF 2018

Between:

1. Musali Venu, S/o Tirupalu (A-1)
2. Musali Pameela W/o Venu (A-2)

Petitioners/Accused

AND

The State of A.P., through SHO, Nellore IV Town P.S., rep. by Public Prosecutor, High Court, Hyderabad.

Respondent/Complainant

Petition under Section 438 of Cr.P.C., praying that in the circumstances stated in the petition and the grounds filed herein, the High Court may be pleased to direct the respondent police to enlarge the petitioner s (A-1 & A-2) on bail in the event of their arrest in connection with Crime No. 2 of 2018 of Nellore IV Town Police Station.

Counsel for the Petitioners : SRI JITHENDER RAO VEERAMALLA

Counsel for the Respondent : PUBLIC PROSECUTOR, (AP)

The Court made the following Order:

“This Criminal Petition is filed seeking for grant of anticipatory bail to the petitioners, who are accused Nos.1 and 2, in Crime No.2 of 2018 on the file of the Station House Officer, Nellore IV Town Police Station, S.P.S.R. Nellore District. The offences alleged are under Sections 420 and 506 R/w.34 of I.P.C.

2. Heard the learned counsel for the petitioners, learned Public Prosecutor appearing for the respondent-State, and perused the record.

3. Learned counsel for the petitioners submits that the father of the *de-facto* complainant got issued a legal notice dated 08.02.2017 to the 2nd petitioner stating that she was indebted some amount to him; for which, 2nd petitioner got issued a reply notice dated 11.02.2017 stating that she was not indebted any amount and further stated that legal notice dated 08.02.2017 was issued only at the behest of one Srinivasulu, Constable, who is inimical towards the 1st petitioner and no further steps were taken with regard to the legal notice.

4. The allegations in this complaint are that part of the chit amount, subscribed by the de-facto complainant, was paid to him by the petitioners and rest of the amount due, is not paid to the *de-facto* complainant.

5. However, considering the fact that on the legal notice dated 08.02.2017 issued by the *de-facto* complainant no action was taken against these petitioners and also taking into account that the 1st petitioner is a Police constable, and 2nd petitioner is his wife, the future career of the 1st petitioner would get spoil if he loses his job, this Court opines that this is a fit case for grant of anticipatory bail to the petitioners. Accordingly, the Criminal Petition is allowed. The petitioners/accused Nos.1 and 2 are directed to surrender before the Station House Officer, IV Town Police Station, Nellore, within 15 days from the date of this order. On such surrender, the petitioners/accused Nos.1 and 2 shall be released on bail on each of their executing 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 petitioners/accused Nos.1 and 2 shall abide by the conditions mentioned under Section 438(2) Cr.P.C., as under:

- 1) The petitioners shall make themselves available for interrogation by a police officer as and when required;
- 2) 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; and
- 3) The petitioners shall not leave India without the previous permission of the Court.

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

ASSISTANT REGISTRAR

//TRUE COPY//

For ASSISTANT REGISTRAR

To

1. The IV Addl. District and Sessions Judge, Nellore
2. The Station House Officer, Nellore IV Town Police Station, Nellore
3. Two CCs to Public Prosecutor, (Ap), High Court of Judicature, at Hyderabad (OUT)
4. one CC to Sri Jithender Rao Veeramalla, Advocate (OPUC)
5. one Spare Copy

HIGH COURT

TR,J

DATE:30-1-2018

ORDER

CRL.P. NO. 610 OF 2018

DIRECTION



HIGH COURT

AB
DRAFTED ON 2-2-2018

TR,J

DATE:30-1-2018



ORDER

CRL.P. NO. 610 OF 2018

DIRECTION