

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

:PRESENT:

THE HON'BLE SMT. JUSTICE T. RAJANI

CRIMINAL PETITION NO: 879 OF 2018

Between:

Behera Surekha Patro W/o Behara Ramesh Patro

Petitioner/Accused No.2

AND

The State of Andhra Pradesh, Rep. by Public Prosecutor, High Court at Hyderabad, through II Town Police Station, Vizianagaram.

Respondent

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 grant anticipatory bail to the petitioner by directing the respondent police to enlarge the petitioner on bail in the event of her being arrested in Crime No. 245 of 2017 on the file of II Town Police Station, Vizianagaram, in the interest of justice;

Counsel for the Petitioner : SRI GHANTA SRIDHAR

Counsel for the Respondent : PUBLIC PROSECUTOR, (AP)

The Court made the following Order:

“This petition is filed seeking for grant of anticipatory bail to the petitioner, who is A2, in Crime No.245 of 2017 on the file of Vizianagaram II Town Police Station, Vizianagaram District. The offences alleged are under Sections 427, 448, 467, 471, 506 r/w 34 IPC.

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

3. The counsel for the petitioner submits that even as per the complaint, a sale deed was got registered by the *de facto* complainant from A1 and A2 and later the construction got delayed, due to which they entrusted the work of construction to Sanyasi Rao. The allegation is that A4 was found to be in occupation of a flat which was allotted to her.

4. Hence, considering the above, no case can be made out against this petitioner, for the alleged offences, as she was no more in the picture, after the work was entrusted to Sanyasi Rao.

5. With the above observations, the Criminal Petition is allowed. The petitioner is directed to surrender before the Station House Officer, II Town Police Station, Vizianagaram District, within 15 days from the date of this order. On such surrender, the petitioner 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:

- i) The petitioner shall make himself 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.

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

Sd/- M.RAMANA KRISHNA
ASSISTANT REGISTRAR

//TRUE COPY//

For ASSISTANT REGISTRAR

To

1. The Addl. Judicial First Class Magistrate, Vizianagaram.
2. The Station House officer, II Town Police Station, Vizianagaram District.
3. Two CCs to Public Prosecutor, (AP) High Court of Judicature, at Hyderabad (OUT)
4. one CC to Sri Ghanta Sridhar, Advocate (OPUC)
5. one Spare Copy

HIGH COURT

TR,J

DATE:06-2-2018

ORDER

CRL.P. NO. 879 OF 2018

DIRECTION



HIGH COURT

AB
DRAFTED ON 14-2-2018

TR,J

DATE:06-2-2018



ORDER

CRL.P. NO. 879 OF 2018

DIRECTION