

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

WEDNESDAY, THE SEVENTH DAY OF FEBRUARY
TWO THOUSAND AND EIGHTEEN

:PRESENT:

THE HON'BLE SMT. JUSTICE T.RAJANI

CRLP .NO:1098 of 2018

Between:

G. Sunitha W/o Ravichandra Reddy

..... Petitioner/Accused

AND

The State of Telangana, 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 filed herein, the High Court may be pleased to enlarge the petitioner on bail in case of arrest by police in the Crime No.232 of 2017 on the file of the IV ACMM, Nampally, Hyderabad.

The petition coming on for hearing, upon perusing the Petition and the grounds filed in support thereof and upon hearing the arguments of Sri Raja Shekar Rao Salvaji, Advocate for the Petitioner, and of Public Prosecutor(AP) for the respondent, the Court made the following.

ORDER

SMT JUSTICE T. RAJANI

CRIMINAL PETITION No.1098 of 2018

ORDER:

This petition is filed seeking for grant of anticipatory bail to the petitioner/A1, in Crime No.232 of 2017 on the file of the Station House Officer, Amberpet Police Station, Hyderabad District. The offences alleged are under Sections 406 and 420 IPC.

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

3. The allegations against this petitioner are that she issued cheques towards the amounts due to the *de facto* complainant, towards the chit to which the *de facto* complainant subscribed.

4. The counsel for the petitioner submits that the petitioner herein filed insolvency petition.

5. The nature of the allegations would show that it is completely a monetary transaction between the parties. The failure of the petitioner to pay the amount cannot be, *prima facie*, branded with any criminality. Hence, this court opines that this is a fit case for granting anticipatory bail to the petitioner.

6. Accordingly, the criminal petition is allowed. The petitioner/A1 is directed to surrender before the Station House Officer, Amberpet Police Station, Hyderabad, within 15 days from the date of this order. On such surrender,

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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 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.

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

//TRUE COPY//

Sd/- K. JAGAN MOHAN
ASSISTANT REGISTRAR

For ASSISTANT REGISTRAR

To

1. The Additional Metropolitan Sessions Judge for Trail of Communal Offences Case-cum-VII Additional Metropolitan Sessions Judge, Hyderabad
2. The IV Additional Chief Metropolitan Magistrate, at Nampally Hyderabad
3. The Station House Officer, Amberpet Police Station, Hyderabad.
4. Two CCs to the Public Prosecutor (TG), High Court at Hyderabad (OUT)
5. One CC to Sri Raja Shekar Rao Salvaji, Advocate (OPUC)
6. One spare copy.

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HIGH COURT

TR,J

DATED: 07.02.2018

ORDER:



CRLP. NO:1098 of 2018

DIRECTION