

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

WEDNESDAY, THE FOURTEENTH DAY OF FEBRUARY
TWO THOUSAND AND EIGHTEEN

**:PRESENT:
THE HON`BLE SMT JUSTICE T. RAJANI**

CRIMINAL PETITION NO: 1295 OF 2018

Between:

1. G.Muni Krishna Reddy, S/o. Late Muni Reddy
2. G.Trivikram, S/o.Muni Krishna Reddy

.....Petitioners/Accused-1&2

AND

The State of Andhra Pradesh, represented by Station House Officer, Chandragiri Police Station, Chittoor District, through P.P. of A.P. in the High Court of Telangana and Andhra Pradesh at Hyderabad.

.....Respondent

Petition under Section 438 of Cr.P.C praying that in the circumstances stated in the memorandum of grounds filed herein the High Court may be pleased to release the petitioners (A-1&A-2) on anticipatory bail in the event of their arrest in Crime No.6/2018 on the file of Chandragiri Police Station, Chittoor District pending investigation and trial if any.;

The petition coming on for hearing, upon perusing the Petition and the memorandum of grounds filed in support thereof and upon hearing the arguments of Mr.G.Ramachandra Reddy, Advocate for the Petitioner and of the learned Public Prosecutor (AP) for Respondent.

The Court made the following Order:

This Criminal Petition is filed by the petitioners/accused Nos.1 and 2 in Crime No.6 of 2018 on the file of the Chandragiri Police Station, Chittoor District, for grant of anticipatory bail. The offences alleged are under Sections-353, 447, 427 and 506 IPC.

Heard the learned Counsel for the petitioners and the learned Public Prosecutor appearing for the respondent. Perused the record.

Learned Counsel for the petitioners submits that these petitioners possess a land by the side of the disputed land; that they sought for a way through that land and in that regard, that there are civil disputes between the parties; that the petitioners filed Writ Petition No.5921 of 2017 and the said Writ Petition was disposed of by order, dated 23.02.2017, by granting

an order of *status quo*, and that in spite of the said order, the *de facto* complainant is trying to interfere with the petitioners' land. He further submits that the petitioners also filed O.S.No.191 of 2016 on the file of the Principal Junior Civil Judge, Tirupati and in I.A.No.412 of 2016 filed in the said suit, ad interim injunction was obtained by the petitioners by virtue of order dated 06.4.2016 and that, in spite of the said injunction order, the *de facto* complainant is trying to interfere with their land.

Hence, considering the fact that there are civil disputes between the parties and that there is likelihood of the complaint lodged by the *de facto* complainant being not genuine, this Court opines that this is a fit case to grant anticipatory bail to the petitioners.

Accordingly, the Criminal Petition is allowed and the petitioners are directed to surrender before the Station House Officer, Chandragiri Police Station, Chittoor District, within 15 days from the date of this order. On such surrender, the petitioners shall be released on bail on each of them executing a personal bond for a sum of Rs.10,000/- with two sureties each for a like sum each to the satisfaction of the said Station House Officer. Further on such release, the petitioners 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 the 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/her from disclosing such facts to the Court or to any Police Officer.

3. The petitioners shall not leave India without the previous permission of the Court.

As a sequel, the Miscellaneous Petitions, pending if any, stand closed.

ASSISTANT REGISTRAR

//TRUE COPY//

For ASSISTANT REGISTRAR

To

1. The IV Additional Judicial First Class Magistrate, Tirupathi, Chittoor District.
2. The X Additional District & Sessions Judge, Tirupati
3. The Station House Officer, Chandragiri Police Station, Chittoor District.
4. Two CCs to the Public Prosecutor (AP), High Court at Hyderabad (OUT)
5. One CC to MR.G.Ramachandra Reddy, Advocate [OPUC]
6. One spare copy

HIGH COURT

TR,J

DATED: 14.2.2018



CRL.P.NO.1295 OF 2018

ANTICIPATORY BAIL

TRk
dated: 15.2.2018



HIGH COURT

TR,J

DATED: 14.2.2018

CRL.P.NO.1295 OF 2018

ANTICIPATORY BAIL