

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

WEDNESDAY, THE FOURTEENTH DAY OF FEBRUARY,
TWO THOUSAND AND EIGHTEEN

:PRESENT:
THE HON'BLE SMT JUSTICE T. RAJANI

CRL.P .Nos. 1319 AND 1320 of 2018

CRL.P .No. 1319 of 2018

Between:

Margani Radha Krishna @ RK, S/o. Venkataramaiah,
Aged 50 years, R/o. Plot No.593/A, Vijayasai Nilayam,
Road No.31, Jubilee Hills, Hyderabad.

..... Petitioner/
Accused No.13

AND

State of Andhra Pradesh, rep. by its Public Prosecutor, High Court of Judicature at
Hyderabad for the State of Telangana and the State of Andhra Pradesh, 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 the event of her arrest in connection with FIR No.144 of 2017 on the file of I Town Police Station, Kavali, Nellore District.

CRL.P .No. 1320 of 2018

Between:

Margani Radha Krishna @ RK, S/o. Venkataramaiah,
Aged 50 years, R/o. Plot No.593/A, Vijayasai Nilayam,
Road No.31, Jubilee Hills, Hyderabad.

..... Petitioner/
Accused No.7

AND

State of Andhra Pradesh, rep. by its Public Prosecutor, High Court of Judicature at
Hyderabad for the State of Telangana and the State of Andhra Pradesh, 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 the event of her arrest in connection with FIR No.185 of 2017 on the file of IV Town Police Station, Nellore, SPSR Nellore District.

These petitions coming on for hearing, upon perusing the Petitions filed in support thereof and upon hearing the arguments of Sri M. Solomon Raju, Advocate for the Petitioner in both petitions and of the learned Public Prosecutor (AP) for the Respondent-State, the Court made the following

COMMON ORDER:

"The petitions are filed, under Section 438 of the Criminal Procedure Code, seeking grant of anticipatory bail to the petitioners, who are A13 and A7, in Cr.No.144 of 2017 and Cr.No.185 of 2017 respectively on the file of the Station House Officer, I Town Police Station, Kavali, Nellore District and the

Station House Officer, IV Town Police Station, Nellore, Nellore District. The offences alleged are under Sections 3 and 4 of the Gaming Act and Section 20(b)(II)(C) read with Section 8 (c) of the NDPS Act.

2. Heard the counsel for the petitioners and the Public Prosecutor appearing for the respondent.
3. The counsel for the petitioners submits that the petitioners have nothing to do with the offence under the NDPS Act, as the narcotic drugs were, allegedly seized from the possession of the A1 to A5 and the petitioners were not found to be in possession of the same. The counsel for the petitioners further submits that so far as the offence under the Gaming Act is concerned, based on the confession of A1, the names of the petitioners herein have come to light. The counsel for the petitioners also relies on the order dated 05.01.2018 in CRLP.No.24673 of 2017 wherein A6 in Cr.No.185 of 2017 was granted anticipatory bail.
4. The case of the prosecution is also not that any narcotic drugs were seized from the petitioners.
5. Considering the above, this Court opines that this is a fit case to grant anticipatory bail to the petitioners.

Hence, the criminal petitions are allowed. The petitioner in CRLP.No.1319 of 2018 is directed to surrender before the Station House Officer, I Town Police Station, Kavali, Nellore District and the petitioner in CRLP.No.1320 of 2018 is directed to the surrender before the Station House Officer, IV Town Police Station, Nellore, Nellore District respectively within 15 days from the date of this order. On such surrender, the petitioners shall be released on bail on their executing personal bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) each with two sureties each for a like sum each to the satisfaction of the aforesaid Station House Officers respectively. The petitioners shall appear before the respective Station House Officers on every Saturday between 09.00 AM and 10.00 AM till filing of the charge sheet. Further, the petitioners shall abide by the conditions mentioned under Section 438(2) Criminal Procedure Code, 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;
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."

//TRUE COPY//

Sd/- K.JAGAN MOHAN
ASSISTANT REGISTRAR

For ASSISTANT REGISTRAR

To

- 1 The I Additional District and Sessions Judge, Nellore, SPSR Nellore District.
- 2 The Station House Officer, I Town Police Station, Kavali, SPSR Nellore District.
- 3 The Station House Officer, IV Town Police Station, Nellore, SPSR Nellore District.
- 4 One CC to Sri M. Solomon Raju, Advocate (OPUC)
- 5 Two CCs to Public Prosecutor (AP), High Court of Judicature at Hyd. (OUT)
- 6 One spare copy

HIGH COURT

TR,J

DATE: 14-02-2018

ANTICIPATORY BAIL
COMMON ORDER

CRL.P.Nos. 1319 & 1320 of 2018

DIRECTION

16 FEB 2018

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