

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

THURSDAY, THE FIFTEENTH DAY OF FEBRUARY,
TWO THOUSAND AND EIGHTEEN
: PRESENT:

THE HON'BLE SMT JUSTICE **T.RAJANI**

CRIMINAL PETITION No. 1560 of 2018

Between:

R.Somanarsaiah, S/o. Mallaiah

Petitioner
(Accused No.2 in Cr.No.21/2018
of Aswapuram P.S., Bhadradi
Kothagudem Dist)

AND

The State of Telangana, rep. by its Public Prosecutor, High Court at Hyderabad.
Respondent

Petition under Section 438 of Cr.P.C. praying that in the circumstances stated in the grounds filed therein, the High Court may be pleased to grant Anticipatory Bail to the petitioner/A2 in Crime No. 21/2018 on the file of Aswapuram P.S., Bhadradi Kothagudem District, pending investigation and trial.

The Petition coming on for hearing, upon perusing the petition and the grounds filed herein and upon hearing the arguments of Sri Md. Gayasuddin, Advocate for the Petitioner and of the Addl. Public Prosecutor (TG) for the Respondent, the Court made the following

ORDER:

“ This Criminal Petition is filed seeking for grant of anticipatory bail to the petitioner, who is accused No.2, in Crime No.21 of 2018 on the file of the Station House Officer, Aswapuram Police Station, Bhadradi Kothagudem District. The offences alleged are under Sections 420 and 120-B of I.P.C.

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

3. The case of the prosecution is that accused No.1 is running chit fund business; *de-facto* complainant is one of its subscribers. Later, accused No.1 transferred the chit transaction amounts to the account of the wife of this petitioner/accused No.2.

4. There is absolutely no offence, that can be made out from the complaint, against this petitioner. It is only mentioned therein that this petitioner also cheated the *de-facto* complainant. But, as to how the petitioner cheated the *de-facto* complainant is not stated in the complaint.

5. Learned Additional Public Prosecutor also does not refute the said submission of the petitioner's counsel.

6. Hence, considering the above, this Court opines that this is a fit case for grant of anticipatory bail to the petitioner/accused No.2. Accordingly, the Criminal Petition is allowed. The petitioner/accused No.2 is directed to surrender before the Station House Officer, Aswapuram Police Station, Bhadradi Kothagudem District, within 15 days from the date of this order. On such surrender, the petitioner/accused No.2 shall be released on bail on his 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/accused No.2 shall abide by the conditions mentioned under Section 438(2) Cr.P.C., as under:

- 1) The petitioner shall make himself available for interrogation by a police officer as and when required;

..2..

2) 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/her from disclosing such facts to the Court or to any police officer; and

3) 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.”

ASSISTANT REGISTRAR

// TRUE COPY //

for ASSISTANT REGISTRAR

To

1. The Judicial First Class Magistrate at Manuguru, Kothagudem District.
2. The SHO, Aswapuram Police Station, Bhadradi Kothagudem District.
3. Two CCs to the Public Prosecutor (TG), High Court, Hyd(OUT)
4. One CC to Sri Md. Gaysuddin, Advocate(OPUC)
5. One spare copy.

SAH



HIGH COURT

TRJ

DATED: 15-02-2018

ORDER

CRL.P.NO. 1560 OF 2018



ANTICIPATORY BAIL

DRAFTED BY: SAH
APPROVED BY:
DRAFTED ON: 16-02-2018

HIGH COURT

TRJ



DATED: 15-02-2018

ORDER

CRL.P.NO. 1560 OF 2018

ANTICIPATORY BAIL