

**HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH
WEDNESDAY, THE TWENTY EIGHTH DAY OF FEBRUARY,
TWO THOUSAND AND EIGHTEEN
:PRESENT:**

**THE HONOURABLE SMT JUSTICE T. RAJANI
CRIMINAL PETITION NO: 2077 OF 2018**

Between:

Jella Biksam, S/o Raghunathulu

Petitioner/Accused

AND

State of Telangana, Rep., by the Public Prosecutor,
High Court at Hyderabad

Respondent/Complainant

Petition under Section 438 of Cr.P.C, praying that in the circumstances stated in the memo of grounds filed herein, the High Court may be pleased to enlarge the petitioner on bail in connection with FIR. No. 1122 of 2017 in the event of his arrest on the file of Police Station, L.B. Nagar (L&O), petitioner is alleged to have committed offences punishable under Section 384 of IPC.

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

ORDER:

This petition is filed seeking for grant of anticipatory bail to the petitioner, who is sole accused, in Crime No.1122 of 2017 on the file of L.B.Nagar (L&O) Police Station, Ranga Reddy District. The offences alleged are under Section 304 IPC.

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

3. The allegation is that this petitioner, who is the President of LPT Market, has threatened the defacto complainant and demanded Rs.50,00,000/- and he has taken Rs.31,50,000/- from the bills, which are due to him and that he is also asking him to pay the remaining amount. The counsel for the petitioner, in support of his contention, that no amount is due to the complainant, relies on the agreement, that is entered into between the petitioner and the defacto complainant, wherein two clauses are relied upon. One is with regard to the disputes being referred to Civil Court and the other is that eighteen months is the period for completing the work. The counsel submits that the said period

has not yet elapsed and hence, the question of paying the amount does not arise. The public prosecutor, except stating that the matter is under investigation still, does not state that any material with regard to the allegation that the petitioner has taken amounts from the bills, which are due to the complainant, is corrected.

4. Hence, considering the above, this Court opines that this is a fit case for grant of anticipatory bail.

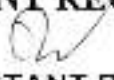
5. Accordingly, the Criminal Petition is allowed. The petitioner is directed to surrender before the Station House Officer, L.B.Nagar (L&O) Police Station, Ranga Reddy District, within 15 days from the date of this order. On such surrender, the petitioner shall be released on bail on his executing a personal bond for a sum of Rs.20,000/- (Rupees twenty thousand only) with two sureties each 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, miscellaneous petitions pending consideration, if any, in this case shall stand closed.

SD/- K. TATA RAO
ASSISTANT REGISTRAR

//TRUE COPY//


For ASSISTANT REGISTRAR

To,

1. The XIV Addl. Metropolitan Sessions Judge, Cyberabad, R.R. District at L.B.Nagar, Hyderabad
2. The II Metropolitan Magistrate at L.B. Nagar, Rachakonda District
3. The Station House Officer, Police Station, L.B. Nagar (L&O), Rachakonda District
4. Two CCs to Public Prosecutor (TG), High Court, Hyderabad (OUT)
5. One CC to Sri Karunakar Reddy, Advocate (OPUC)
6. One spare copy

HIGH COURT

TR,J

DATE: 28-02-2018

ORDER

CRL.P. NO. 2077 OF 2018

DIRECTION



A handwritten signature in dark ink, consisting of a stylized, cursive script.