

**HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND STATE OF ANDHRA PRADESH
TUESDAY, THE TWENTY SEVENTH DAY OF FEBRUARY
TWO THOUSAND AND EIGHTEEN**

:PRESENT:

**THE HONOURABLE SMT JUSTICE T. RAJANI
CRIMINAL PETITION NO: 2039 OF 2018**

Between:

Kani Lavanya W/o Naresh

Petitioner/Accused

AND

The State of Telangana Through Station House Officer, P.S., Godavarikhani - I Town, Rep by its Public Prosecutor, High Court of Judicature at Hyderabad, For the State of Telangana and A.P.

Respondent/Complainant

Petition under Section 438 of Cr.P.C, praying that in the circumstances stated in the affidavit filed in support of the Criminal Petition, the High Court may be pleased to grant anticipatory bail to the petitioner and direct the Station House Officer, P.S., Godavarikhani - I town to enlarge the petitioner on bail in the event of her arrest in F.I.R. No. 37 of 2018 on the file of P.S., Gdavarikhani - I Town;

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of VENKATESHWAR VARANASI Advocate for the Petitioner PUBLIC PROSECUTOR (TG) for the Respondent(s) and the Court made the following.

ORDER

SMT. JUSTICE T.RAJANI

CRIMINAL PETITION No. 2039 OF 2018

ORDER:

This petition is filed, under Section 438 of the Code of Criminal Procedure, 1973, seeking for grant of anticipatory bail to the petitioner-accused No. 2 in crime No. 37 of 2018 of Godavarikhani I Town Police Station, Peddapalli District.

2. Heard learned counsel for the petitioner and learned Public Prosecutor (T.S.).

3. The case of the prosecution is that the petitioner-accused No. 2, who is wife of accused No. 1, is a partner in finance company, in which accused No. 1 is also a partner and that they have been doing business and lending moneys at high rate of interest.

4. From the nature of the allegations, this Court opines that it is not a fit case for granting anticipatory bail but however considering the submission of learned counsel for the petitioner that the petitioner has delivered a child on 14-12-2018 and that her presence is required to take care of the child, this Court is inclined to grant anticipatory bail to the petitioner. The petitioner is directed to surrender before the Station House Officer, Godavarikhani I Town Police Station, Peddapalli District, within 15 days from the date of this order and on such surrender, 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 latter. 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.

5. The criminal petition is accordingly allowed. Pending miscellaneous petitions if any shall stand closed in consequence.

//TRUE COPY//

SD/- I. NAGA LAKSHMI
ASSISTANT REGISTRAR

For ASSISTANT REGISTRAR

To,

1. The VI Additional District and Sessions Judge at Godavarikhani
2. The Station House Officer, Godavarkhani I Town Police Station, Peddapalli District
3. One CC to SRI VENKATESHWAR VARANASI Advocate [OPUC]
4. Two CC's to Public Prosecutor, High Court of Judicature at Hyderabad (OUT) -
5. One spare copy

Avs

HIGH COURT

TRJ

DATED: 27.02.2018

ORDER

CRLP NO. 2039 OF 2018



BAIL

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