

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

MONDAY, THE TWELFTH DAY OF MARCH,  
TWO THOUSAND AND EIGHTEEN

**:PRESENT:**

**THE HONOURABLE SMT JUSTICE T. RAJANI**

**CRIMINAL PETITION NO: 2234 OF 2018**

**Between:**

Thota Srinivas, S/o Venkata Swamy, Occ Depot Manager,  
APSRTC, Kanigiri Depot, Prakasam District

**Petitioner/Accused**

**AND**

State of Andhra Pradesh, rep by the Public Prosecutor,  
High Court at Hyderabad

**Respondent**

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 Anticipatory Bail in the event of his arrest in Crime in FIR.No. 35 of 2011 on the file of Chirala I Town Police Station, Prakasam District.

The petition coming on for hearing, upon perusing the Petition and the memo of grounds filed herein, and upon hearing the arguments of Sri P Durga Prasad, Advocate for the Petitioner, and of Public Prosecutor (AP) for Respondent, the Court made the following.

**ORDER**

**SMT. JUSTICE T.RAJANI**

**CRIMINAL PETITION No. 2234 OF 2018**

**ORDER:**

This petition is filed, under Section 438 of the Code of Criminal Procedure, 1973 (for short, 'Cr.P.C.'), seeking for grant of anticipatory bail to the petitioner-accused in Crime No. 35 of 2011 of Chirala 1 Town Police Station, Prakasham District, registered for the offence punishable under Section 3 (1) (x) of SC ST POA Act.

2. Heard learned counsel for the petitioner and learned Public Prosecutor (A.P.).

3. Learned counsel for the petitioner submits that initially, a quash petition was filed and there was a stay of arrest of the petitioner and subsequently, the quash petition was dismissed and hence, the petitioner apprehends that he would be arrested.

4. Learned counsel takes this Court through the contents of the report filed by the *de facto* complainant, which shows that in fact, no abuses in the caste name of the *de facto* complainant seem to have been made but it was expressed by the petitioner that the people belonging to SC Community have become headache. The report also shows that the *de facto* complainant and others were not doing their duties properly, by getting drunk. Hence, *prima facie*, this Court opines that there is no intention on the part of the petitioner to insult the *de facto* complainant and others in their caste name.

18/11/2018

5. Considering the above, this Court is inclined to grant anticipatory bail to the petitioner. The petitioner is directed to surrender before the Station House Officer, Chirala I Town Police Station, Prakasham 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 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.

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

**SD/- M. RAMANA KRISHNA**  
**ASSISTANT REGISTRAR**

**//TRUE COPY//**

**For ASSISTANT REGISTRAR**

To,

1. The Station House Officer, Chirala I Town Police Station, Prakasham District.
2. Two CCs to Public Prosecutor (AP), High Court, Hyderabad (OUT)
3. One CC to Sri P. Durga Prasad, Advocate (OPUC)
4. One spare copy

Skm

HIGH COURT

TR,J

DATED:12/03/2018

ORDER

CRLP.No.2234 of 2018

DIRECTION



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