

**HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND 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: 2268 OF 2018

Between:

1. Jarupula Jaipal Naik S/o Amru
2. Jarupula Heeradevi W/o Jaipal Naik
3. Jarupula Vijay Kumar S/o Jaipal Naik

Petitioner/Accused

AND

The State of Telangana through SHO PS, Madgul, rep by its PP, High Court at Hyderabad

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 enlarge the Petitioners / Accused Nos. 1 to 3 herein on Anticipatory Bail in the event of their arrest in Crime No. 9 of 2018 of P.S. Madgul, Rachakonda, R.R. District for the offences punishable U/s. 354, 323, 448, 504, 506 r/w 34 IPC

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

ORDER

SMT. JUSTICE T.RAJANI

CRIMINAL PETITION No. 2268 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 petitioners-accused Nos. 1 to 3 in crime No. 9 of 2018 of Madgul Police Station, Rachakonda.

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

3. The allegation is that the petitioners abused the *de facto* complainant in filthy language by coming to her house. Learned counsel for the petitioners submits, that the complaint is absolutely false and is only filed in order to overcome the allegations that are made by the petitioners against the *de facto* complainant, in the complaint filed by them, on the basis of which crime No. 10 of 2018 was registered. Though the said crime was registered subsequent to the registration of crime No. 9 of 2018, learned counsel for the petitioners submits that the copy of the promissory note would reveal that Rs.50,000/- was due to petitioner No. 2, from the husband of the *de facto* complainant. Hence, from the above, there is a possibility of inferring that this complaint is not genuine.

4. Hence, considering the above, this Court opines that it is a fit case for granting anticipatory bail to the petitioners. The petitioners are directed to surrender before the Station House Officer, Madgul Police Station, Rachakonda, within 15 days from the date of this order and on such surrender, the

petitioners shall be released on bail on their executing each 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 petitioners shall abide by the conditions mentioned under Section 438(2) Cr.P.C. as under:

- (i) The petitioners shall make themselves available for interrogation by a police officer as and when required.
- (ii) 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;
- (iii) The petitioners 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.

Sd/- T.YAKAIAH
ASSISTANT REGISTRAR

//TRUE COPY//

For ASSISTANT REGISTRAR

To,

1. The Judicial First Class Magistrate at Kalwakurthy
2. The Station House Officer, P.S., Madgul, Rachakonda, R.R. District
3. One CC to V RAGHUNATH 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: 28.02.2018

ORDER

CRLP NO. 2268 OF 2018



BAIL

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