

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

THURSDAY, THE EIGHTH DAY OF MARCH,
TWO THOUSAND AND EIGHTEEN
: PRESENT:

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

CRIMINAL PETITION No. 2425 of 2018

Between:

Kuruva Nagamma Alias Nusala Nagamma, D/o. Kuruva Ramakrishnayya
Petitioner
(Accused in Cr.No.143/2013
of Chagalamarri P.S., Kurnool Dist, A.P.)
AND

The State of Andhra Pradesh, through Station House Officer, Chagalamarri Police Station, Kurnool District, A.P., rep. by its Public Prosecutor, High Court of Judicature at Hyderabad, for the State of Telangana and for the State of Andhra Pradesh.
Respondent/Complainant

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 enlarge the petitioner on bail in the event of her arrest in relating to FIR.No. 143 of 2013, dated. 13-11-2013 on the file of the Station House Officer, Chagalamarri Police Station, Kurnool District, A.P.

The Petition coming on for hearing, upon perusing the petition and the grounds filed herein and upon hearing the arguments of Sri Ch.Jaya Krishna, Advocate for the Petitioner and of the Public Prosecutor (AP) 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.1, in Crime No.143 of 2013 on the file of the Station House Officer, Chagalamarri Police Station, Kurnool District. The offences alleged are under Sections 403, 406, 420 and 506 R/w.34 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, as per the report lodged by the de-facto complainant, is that, on 02.10.2012, she along with her daughter-in-law and another, was present at her house. Then the petitioner along with other accused came to her house and took her gold ornaments on the guise of a function in their house and, in spite of repeated requests, the accused did not return her gold ornaments. Later, the de-facto complainant came to know that the accused pledged all her gold ornaments in Muthoot Fincorp, Proddutur, and obtained loan and when the de-facto complainant asked the accused to return her gold ornaments, there was no response from the accused. Earlier, father of the petitioner also obtained money from the de-facto complainant and did not return. Finally, on 04.11.2013, when the de-facto complainant and her daughter-in-law approached the accused and questioned about the gold ornaments, the accused threatened to kill her.

4. Learned counsel for the petitioner submits there is enormous delay in reporting the matter to the Police. Learned counsel also relies on a copy of the suit in O.S. No.12 of 2014, filed by the de-facto complainant against the father of the petitioner. Learned counsel further submits that the de-facto complainant some how or the other has been fleecing money from the petitioner, who is a Government employee.

5. Learned Public Prosecutor does not refute the submissions of the petitioner's counsel.

6. Hence, the above facts, prima-facie, would suggest that there is some truth in the submission of the petitioner's counsel, and hence this Court is inclined to grant anticipatory bail to the petitioner. Accordingly, the Criminal Petition is allowed and the petitioner/accused No.1 is directed to surrender before the

..2..

Station House Officer, Chagalamarri Police Station, Kurnool District, within 15 days from the date of this order. On such surrender, the petitioner/accused No.1 shall be released on bail on his executing a personal bond for a sum of Rs.10,000/- (Rupees ten 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.1 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) 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 Senior Civil Judge, Allagadda, Kurnool District.
2. The SHO, Chagalamarri Police Station, Kurnool District, A.P.
3. Two CCs to the Public Prosecutor (AP), High Court, Hyd(OUT)
4. One CC to Sri Ch.Jaya Krishna, Advocate(OPUC)
5. One spare copy.

SAH

HIGH COURT

TRJ

DATED: 08-03-2018

ORDER

CRL.P.NO. 2425 OF 2018



ANTICIPATORY BAIL

DRAFTED BY: SAH
APPROVED BY:
DRAFTED ON: 12-03-2018

HIGH COURT

TRJ



DATED: 08-03-2018

ORDER

CRL.P.NO. 2425 OF 2018

ANTICIPATORY BAIL