

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

WEDNESDAY, THE ELEVENTH DAY OF APRIL, TWO THOUSAND AND
EIGHTEEN

: PRESENT :

THE HONOURABLE SRI JUSTICE M. SATYANARAYANA MURTHY

CRLP No. 3921 of 2018

Between:-

K. Chiranjeevi, S/o. Lakshmi Narasaiah,

..... Petitioner/2nd Accused.

AND

The State of Andhra Pradesh, rep. by its Public Prosecutor,
High Court of Judicature at Hyderabad, For the State of
Telangana and the State of Andhra Pradesh.,

.....Respondent/Complainant.

Petition filed under Section 438 of Cr.P.C. praying that in the circumstances stated in the Grounds of Criminal Petition, the High Court may be pleased to grant Anticipatory Bail to petitioner by directing the police to release him on bail, in the event of his arrest in connection with Crime No. 2 of 2018 of Chittoor II Town Police Station, Chittoor District in the interests of justice

The petition coming on for hearing, upon perusing the memorandum of grounds filed in support thereof and upon hearing the arguments of Sri Akurathi Ramakrishna, Advocate for the Petitioner and of Public Prosecutor(AP) on behalf of sole Respondent-State, the Court made the following

ORDER :-

THE HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY

CRIMINAL PETITION No. 3921 OF 2018

ORDER:

This petition is filed, under Section 438 of the Code of Criminal Procedure, 1973 (for short, 'Cr.P.C.'), for grant of anticipatory bail to the petitioner-accused No. 2 in Crime No. 2 of 2018 of Chittoor II Town Police Station, Chittoor District, registered for the offence punishable under Section 420 read with Section 34 of the Indian Penal Code.

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

3. The case of the prosecution in brief is that the petitioner along with the other accused pledged gold and obtained loan from the *de facto* complainant finance company to a tune of Rs.1,55,400/- and that when the gold was tested about purity, it is revealed that the gold pledged with the latter is spurious.

4. Learned counsel for the petitioner submits that the petitioner is ready to discharge the loan availed by him within six weeks and that the other accused was enlarged on pre-arrest bail by this Court *vide* order dated 12-03-2018 in Criminal Petition No. 2382 of 2018.

5. Considering the submission of learned counsel for the petitioner that the petitioner will discharge the loan availed by him and also considering the fact that the other accused, who stands on the same footing as that of the petitioner, was already enlarged on bail by this Court, I am inclined to grant pre-arrest bail to the petitioner.

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6. The Station House Officer, Chittoor II Town Police Station, Chittoor District, is directed to release the petitioner-accused No. 2 on bail in the event of arrest in Crime No. 2 of 2018 on condition of the petitioner executing a personal bond for a sum of Rs.20,000/- (Rupees twenty thousand only) with two sureties for a like sum each to his satisfaction only to enable the latter to discharge the loan availed by him within six weeks from today. In the event of failure to discharge the loan by the latter, the order shall automatically stand vacated and the former is at liberty to effect his arrest. 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.

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

//TRUE COPY//

SD/- K. TATA RAO
ASSISTANT REGISTRAR

for ASSISTANT REGISTRAR

To

- 1.The VI Additional Judicial Magistrate of First Class, Chittoor, Chittoor District
- 2.The Station House Officer, Chittoor II Town Police Station, Chittoor District.
- 3.Two CCs to the Public Prosecutor(AP), High Court at Hyd.(OUT)
- 4.One CC to Sri Akurathi Ramakrishna, Advocate(OPUC)
- 5.One spare copy.

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HIGH COURT

MSM.J

DT.11-04-2018.

BAIL ORDER

CRL.P.No. 3921 of 2018

RELEASE THE PETITIONER
ON BAIL



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