

THE HON'BLE DR.JUSTICE SHAMEEM AKTHER

CRIMINAL PETITION No.12927 OF 2018

ORDER:

This Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973, is filed by the petitioner/A.3 for grant of bail in Crime No.284 of 2018 of Banjara Hills Police Station, Hyderabad, registered for the offence punishable under Section 365 read with 34 of IPC.

2. Heard the learned counsel for the petitioner/A.3 and the learned Additional Public Prosecutor representing the respondent-State and perused the record.

3. Learned counsel for the petitioner/A.3 would submit that the petitioner/A.3 was remanded to judicial custody in Crime No.182 of 2018 of Chilkaiguda Police Station, registered for the offences punishable under Sections 420, 170, 392 and 120B read with 34 of IPC. Due to enmity with the father of the *de facto* complainant, the petitioner/A.3 is implicated in this case. Police did not choose to take custody of this petitioner when he was in judicial custody in Crime No.182 of 2018 and ultimately, prayed to allow the petition.

4. Learned Additional Public Prosecutor opposed the grant of bail to the petitioner/A.3 and ultimately, prayed to dismiss the petition.

5. As per the material placed on record and the investigation conducted by the police, the petitioner/A.3 along with other accused in this case went to Gemini Studio posing as Task Force Officers and took L.W.2-Sannidhanam Laxmikanth Sharma in Innova Car. Thereafter, they went to the house of L.W.2, threatened

the *de facto* complainant, robbed gold ornaments and cash etc. The same is yet to be recovered. There are specific allegations against the petitioner/A.3 of abducting L.W.2. There are also allegations against the petitioner/A.3 in robbing the gold and other ornaments from the house of L.W.2. Under these circumstances, it is not a fit case to allow the petition under Section 438 Cr.P.C. The petition is devoid of merit and is liable to be dismissed.

6. In the result, the Criminal Petition is dismissed.

Date: 12.12.2018
ssp

DR. SHAMEEM AKTHER, J

