

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

TUESDAY, THE TWENTIETH DAY OF FEBRUARY
TWO THOUSAND AND EIGHTEEN

**:PRESENT:
THE HON`BLE SMT JUSTICE T. RAJANI**

CRIMINAL PETITION NO: 24637 OF 2017

Between:

K.Kishore, S/o.K.Abraham

.....Petitioner/1st Accused

AND

The State of Andhra Pradesh, Through the Station House Office, Women Police Station, Nellore, SPSR Nellore District, A.P., Rep.by its Public Prosecutor, High Court at Hyderabad.

.....Respondent/Complainant

Petition under Section 438 of Cr.P.C praying that in the circumstances stated in the memorandum of grounds filed herein the High Court may be pleased to direct the respondent herein/the Station House Office, Women Police Station, Nellore, SPSR Nellore District, A.P. to enlarge the 1st Accused/the petitioner herein on bail in the event of his arrest pursuant to FIR.No.175 of 2017, dated 30.11.2017 of Women Police Station, Nellore, SPSR Nellore District, A.P. pending investigation of said crime in the interest of justice.

The petition coming on for hearing, upon perusing the Petition and the memorandum of grounds filed in support thereof and upon hearing the arguments of Mr.Gade Venkateswara Rao, Advocate for the Petitioner and of the learned Public Prosecutor (AP) for Respondent.

The Court made the following Order:

This petition is filed, under Section 438 of the Criminal Procedure Code, 1973 (for short, 'Cr.P.C.'), seeking for grant of anticipatory bail to the petitioner, who is accused No. 1, in crime No. 175 of 2017 of Women Police Station, Nellore, S.P.S.R. Nellore District.

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

3. Learned counsel for the petitioner submits that accused Nos. 2 to 6 in this case were granted anticipatory bail, by this Court, by virtue of the order dated 20-12-2017 in CrI.P.No. 12363 of 2017. A perusal of the report shows that the allegations made against the petitioner and other accused are almost same, except the allegation that the petitioner took the *de facto* complainant to railway track and asked her to die and that he kept her head on the railway track. But the date of such incident is not mentioned in the report and she goes on making allegations against all the family members of

the petitioner and also one Priyanka, whom she alleges as the person having illicit relationship with the petitioner.

4. Hence, considering the nature of the allegations and the fact that accused Nos. 2 to 6 were already granted bail, this court opines that this is a fit case for granting anticipatory bail. The petitioner is directed to surrender before the Station House Officer, Women Police Station, Nellore, S.P.S.R. Nellore District, within 15 days from the date of this order. On such surrender, the petitioner shall be released on bail on executing a personal bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties for a like sum each. 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.

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

ASSISTANT REGISTRAR

//TRUE COPY//

For ASSISTANT REGISTRAR

To

1. The Station House Officer, Women Police Station, Nellore, SPSR Nellore District, AP
2. Two CCs to the Public Prosecutor (AP), High Court at Hyderabad (OUT)
3. One CC to MR.Gade Venkateswara Rao, Advocate [OPUC]
4. One spare copy

HIGH COURT

TR,J

DATED: 20.2.2018

CRL.P.NO.24637 of 2017

ANTICIPATORY BAIL



TRk
Dated: 22.2.2018

HIGH COURT

TR,J

DATED: 20.2.2018

CRL.P.NO.24637 OF 2017

ANTICIPATORY BAIL

