

HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

WEDNESDAY, THE SEVENTEENTH DAY OF APRIL TWO THOUSAND AND
NINETEEN:PRESENT:
THE HONOURABLE SRI JUSTICE SANJAY KUMAR

CRIMINAL PETITION NO: 1840 OF 2019



Between:

1. Y.Venkata Ramana Reddy, S/o. Garada Reddy aged about 67 years, Occ: Pvt. Employee, R/o. Jodidagarahalli (V), Kasaba Bangalore N/o: H.No. 9-1, R.S.Road, Chintaparti Vayalapdu Chittoor, Andhra Pradesh
2. Mahesh, S/o. Raja Reddy, aged about 37 years, Occ: Agriculture R/o. Attur Village, Hoskote, Bangalore.

Petitioners/Accused No.2 & 3

AND

The State of Telangana, Rep by its Public Prosecutor Through Cyber Crimes, D.D.
Hyderabad 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 grant anticipatory bail to the petitioner and direct the Police, Cyber Crimes, DD Hyderabad to enlarge the petitioners on bail in their arrest in C.C.No. 389/2017 on the file of the Hon'ble XII Addl. Chief Metropolitan Magistrate at Nampally, Hyderabad in the interest of justice.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of Sri Srinivas Rao Madiraju for Sri NARAPARAJU AVANEESH, Advocate for the Petitioners, PUBLIC PROSECUTOR (TG) for the Respondent, the Court made the following.

ORDER:

THE HONOURABLE SRI JUSTICE SANJAY KUMAR

CRIMINAL PETITION NO.1840 OF 2019

ORDER

The petitioners are A2 and A3 in C.C.No.389 of 2017 on the file of the learned XII Additional Chief Metropolitan Magistrate, Nampally, Hyderabad, arising out of Crime No.55 of 2017 on the file of the Cyber Crimes Police Station, Hyderabad, which was registered under Sections 66C and 66D of the Information Technology (Amendment) Act, 2008 and Sections 406, 419, 420 and 120B IPC. They filed the present application under Section 438 CrPC seeking grant of anticipatory bail.

The case of the prosecution against the petitioners is that A1, the daughter of the first petitioner/A2, lured the complainant through the aegis of bharatmatrimony.com and got him to deposit amounts in the bank accounts of the petitioners herein.

It appears that A1, the daughter of the first petitioner/A2, was arrested and was enlarged on regular bail. As the charge-sheet has already been filed against all the three accused, this Court is of the opinion that anticipatory bail can be granted to the petitioners/A2 and A3 in C.C.No.389 of 2017.

Be it noted that in terms of the law laid down by the Supreme Court in **BHARAT CHAUDHARY V/s. STATE OF BIHAR**¹, mere filing of the charge-sheet would not bar exercise of power under Section 438 CrPC.

In that view of the matter, the criminal petition is ordered. The petitioners shall surrender before the learned XII Additional Chief Metropolitan Magistrate, Nampally, Hyderabad, within two weeks from

¹ (2003) 8 SCC 77

today. Thereupon, they shall be enlarged on bail upon their furnishing personal bonds for a sum of Rs.10,000/- (Rupees ten thousand only) each along with two sureties for a like sum each, to the satisfaction of the learned XII Additional Chief Metropolitan Magistrate, Nampally, Hyderabad. The petitioners shall cooperate with the police in the event any further investigation is required and shall desist from offering any inducement, threat or promise to either the complainant or any other person connected with the case.

Sd/- M. MANJULA
ASSISTANT REGISTRAR

//TRUE COPY//

For ASSISTANT REGISTRAR

To,

1. The XII Addl. Chief Metropolitan Magistrate at Nampally.
2. The Station House Officer, Cyber Crime Police Station.
3. One CC to SRI NARAPARAJU AVANEESH, Advocate [OPUC]
4. Two CCs to PUBLIC PROSECUTOR (TG), High Court of Judicature at Hyderabad (OUT)
5. One spare copy

HIGH COURT

SK,J

DATED:17/04/2019

ORDER

CRLP.No.1840 of 2019

BAIL

