

HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

WEDNESDAY, THE EIGHTH DAY OF MAY
TWO THOUSAND AND NINETEEN



:PRESENT:

THE HONOURABLE SRI JUSTICE ABHINAND KUMAR SHAVILI

CRL.P. NO: 2568 OF 2019

Between:

K. VIAYA KUMAR GOUD, S/o. Hanmanthu Goud

..... Petitioner/Accused

AND

The State of Telangana, Rep. by its Public Prosecutor High Court at
Hyderabad for the state of Telangana

.....Respondent/Complainant

Petition under Section 438 of Cr.P.C. praying that in the circumstances stated in the petition filed herein, the High Court may be pleased to enlarge the Petitioner on bail in FIR No. 752/2019 dated. 21.02.2019 of Police APTS P.S. Mahabubnagar.

The petition coming on for hearing, upon perusing the Petition and the grounds filed in support thereof and upon hearing the arguments of Sri G RAJESHWAR RAO, Advocate for the Petitioner, and of Public Prosecutor for the respondent, the Court made the following.

ORDER

THE HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

CRIMINAL PETITION NO.2568 OF 2019

ORDER:

The petitioner-accused filed this Criminal Petition under Section 438 of the Code of Criminal Procedure seeking anticipatory bail in Crime No.752 of 2019 dated 21.02.2019 on the file of P.S. A.P.T.S., Mahaboobnagar District, for the offence under Section 135(1)(b) of the Electricity Act, 2003.

The petitioner is the sole accused. The petitioner contended that he has been falsely implicated in the above said crime. The petitioner has further drawn the attention of this Court that in identical circumstances this Court was pleased to grant anticipatory bail in CrI.P.No.1957 of 2019 vide orders dated 25.04.2019. The petitioner is also similarly situated and the petitioner be granted anticipatory bail on the same terms and conditions as it was done in CrI.P.No.1957 of 2019 dated 25.04.2019.

Learned Public Prosecutor has also not disputed about the said fact.

In view of the above said submissions, this Court is of the considered view that the petitioner is entitled for grant of anticipatory bail subject to certain conditions.

The Criminal Petition is accordingly allowed. In the event of arrest of the petitioner-accused in Crime No.752 of 2019, the petitioner shall be enlarged on bail upon his furnishing a personal bond for a sum of Rs.5,000/- (Rupees five thousand only) along with two sureties for a like sum each to the satisfaction of the Station House Officer, A.P.T.S. Police Station, Mahabubnagar. He

shall however abide by the conditions prescribed in 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 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.

Miscellaneous petitions, if any, pending shall stand closed.

//TRUE COPY//

SD/- T.SRINIVAS
ASSISTANT REGISTRAR

For ASSISTANT REGISTRAR

To

1. The Additional District Sessions Judge, Mahaboobnagar
2. The Station House Officer, A.P.T.S. Police Station, Mahabubnagar
3. Two CCs to the Public Prosecutor, High Court at Hyderabad (OUT)
4. One CC to Sri G RAJESHWAR RAO, Advocate (OPUC)
5. One spare copy.

HIGH COURT

AKS,J

DATED: 08.05.2019

ORDER:

CRLP. NO:2568 of 2019

BAIL

