

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

TUESDAY, THE SEVENTEENTH DAY OF SEPTEMBER TWO THOUSAND AND
NINETEEN

:PRESENT:

THE HONOURABLE JUSTICE G SRI DEVI

CRIMINAL PETITION NO: 5533 OF 2019



Between:

1. Smt. Thipparaveni Vijaya W/o. Shankar
2. Thipparaveni Shankar, S/o. Late Venkat
3. Thipparaveni Ashok, S/o. Shankar
4. Thipparaveni Suresh, S/o. Shankar

Petitioner/Accused No. 2 to 5

AND

The State of Telangana, through the Station House Officer, Godavarikhani I Town Police Station, Peddapalli District, Erstwhile Karimnagar District, Represented by its Public Prosecutor, High Court of Hyderabad for the State of Telangana

Respondent

Petition under Section 438 of Cr.P.C, praying that in the circumstances stated in the Criminal Petition, the High Court may be pleased to grant Anticipatory bail to the Petitioner or Accused No.2 to 5 in the event of their arrest in Crime No.127 of 2019, Dated. 28/03/2019 on the file of SHO, Godavarikhani I Town Police Station, Peddapalli District.

The petition coming on for hearing, upon perusing the Petition and upon hearing the arguments of SRI KAMPALLI UDAY KANTH Advocate for the Petitioners and THE ADDITIONAL PUBLIC PROSECUTOR for the Respondent the Court made the following.

ORDER

THE HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION No.5533 of 2019

ORDER:

This Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973, is filed by petitioners/A2 to A5, seeking to grant anticipatory bail in Crime No.127 of 2019 on the file of I Town Police Station, Godavarikhani, Peddapalli District, registered for the offences under Sections 417, 420, 109 read with Section 34 IPC.

2. Heard learned counsel for the petitioners/A2 to A5, learned Additional Public Prosecutor representing the respondent-State and perused the record.

3. It is alleged in the complaint that A1 and the daughter of the de-facto complainant fell in love with each other and A1 promised to marry her and that when his daughter asked A1 to marry her, he reused the same at the instigation of A2 to A5, who are parents and brothers of A1, thereby all the accused cheated her.

4. Learned counsel for the petitioners submits that the petitioners never instigated A1 not to marry the daughter of the de-facto complainant and there are no specific overt acts against them. He further submits that the petitioners are innocent of the alleged offences as there are no ingredients in connection with the crime. He further submits that the petitioners are permanent residents of Godavarikhani and hence, there is no chance of their absconding and they are ready to abide by the conditions imposed by this Court.

5. Learned Additional Public Prosecutor has vehemently opposed to grant anticipatory bail to the petitioners.

6. In view of the nature of allegations leveled against the petitioners and the facts and circumstances, without adverting to the merits of the matter, it is a fit case to grant anticipatory bail to the petitioners/A2 to A5 with certain conditions.

7. Accordingly, the Criminal Petition is allowed and the petitioners/A2 to A5 are directed to surrender before the Station House Officer, I Town Police Station, Godavarikhani, Peddapalli District, within a period of 15 days from the date of this order. On such surrender, the said Station House Officer shall release the petitioners/A2 to A5 on bail on their executing a personal bond for a sum of Rs.15,000/- (Rupees fifteen thousand only) each with two sureties for a like sum each to his satisfaction. On such release, the petitioners/A2 to A5 shall abide by the conditions stipulated in Section 438(2) Cr.P.C and co-operate with the investigating officer in investigating the case.

8. Miscellaneous applications, if any pending in this criminal petition, shall stand closed.

SD/- K.SAILESHI
ASSISTANT REGISTRAR

//TRUE COPY//

For ASSISTANT REGISTRAR

To,

1. The I Additional Judicial Magistrate of First Class at Godavarikhani
2. The Station House Officer, Godavarikhani I Town Police Station, Peddapalli District, Erstwhile Karimnagar District
3. One CC to SRI. KAMPALLI UDAY KANTH Advocate [OPUC]
4. Two CC's to Public Prosecutor, High Court for the State of Telangana at Hyderabad (OUT)
5. One spare copy

Avs

HIGH COURT

GSDJ

DATED:17/09/2019

ORDER

CRLP.No.5533 of 2019

BAIL



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