

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

TUESDAY, THE SEVENTEENTH DAY OF DECEMBER
TWO THOUSAND AND NINETEEN

**:PRESENT:
THE HONOURABLE JUSTICE G SRI DEVI
CRIMINAL PETITION NO: 8006 OF 2019**

Between:

1. K.Anil Kumar, S/o. ChinnaAbbaih,
2. K.Annapurna, W/o. K.Anil Kumar,

Petitioners/A1, A2

AND

STATE OF T.S., Through Public Prosecutor of High Court at
Hyderabad

Respondent/Complainant

Petition under Section 438 of Cr.P.C, praying that in the circumstances stated in the grounds filed in support of the Criminal Petition, the High Court may be pleased to enlarge the Petitioners/Accused No. 1 and 2 on bail in the event of their arrest in connection with Crime No. 472/2019 of P.S. Panjagutta, Hyderabad

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof upon hearing the arguments of SRI N KRISHNA SUMANTH Advocate for the Petitioner and ADDITIONAL PUBLIC PROSECUTOR for the Respondent, the Court made the following.

ORDER:

THE HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION No.8006 of 2019

ORDER:

This Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973, is filed by the petitioners/A-1 and A-2, seeking to grant anticipatory bail in the event of their arrest in Crime No.472 of 2019 on the file of Panjagutta Police Station, Hyderabad, registered for the offences punishable under Sections 420, 341 and 448 IPC.

2. Heard learned counsel for the petitioners/A-1 and A-2, learned Additional Public Prosecutor appearing for the respondent-State and perused the record.

3. The brief facts of the case are that on 16.9.2019 the de facto complainant lodged a complaint stating that she was running a Womens Hostel namely Sri Sai Harshitha at H.No.8-3-945/5, Nagarjuna Nagar Colony, Ameerpet, Hyderabad, since ten years; that for one month she has given the said hostel for maintenance to the petitioners; that after one month, when she asked the petitioners to show the maintenance charges and vacate the hostel, they restricted her to enter into the hostel and denied to vacate the hostel. Hence, the complaint.

4. Learned counsel for the petitioners/A-1 and A-2 would submit that even if the entire allegations in the complaint are taken to be true on the face of the record, no offence whatsoever has been made out against the petitioners; that the

present complaint is filed as a counter blast to the complaint filed by the petitioners on 01.8.2019 and 15.9.2019 and so also as a counter blast to the civil suit i.e., O.S.No.1723 of 2019 filed by the petitioners before the XXI Junior Civil Judge, City Civil Court, Hyderabad; that the de facto complainant and her husband have received summons in the said suit and they were personally present before the said Court on 26.8.2019; that thereafter only the present complaint is lodged against the petitioners; and that the petitioners are law abiding citizens and are ready to abide by any conditions that may be imposed by this Court in the event of their enlargement on anticipatory bail.

5. Learned Additional Public Prosecutor though opposed to grant anticipatory bail to the petitioners fairly conceded that on receipt of the notices under Section 41-A Cr.P.C., the petitioners have appeared before the Police concerned and have narrated the facts.

6. As per the contents of the F.I.R., it seems that the dispute in the present case is of civil in nature. Thus, looking into the nature of allegations levelled against the petitioners and the facts and circumstances of the case, without delving into the merits of the case, I am inclined to grant anticipatory bail to the petitioners.

7. The Criminal Petition is accordingly allowed. The petitioners are directed to surrender before the Station House Officer, Panjagutta Police Station, Hyderabad, within a period of 15 days from the date of this order. On such surrender, the said

Station House Officer shall release the petitioners/A-1 and A-2 on bail on each of them executing a personal bond to the tune of Rs.15,000/- (Rupees Fifteen thousand only) with two sureties for the like amount each to his satisfaction. Further, the petitioners 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/- B.SATYA VATHI
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The XIV Additional Chief Metropolitan Magistrate at Nampally,
2. The Station House Officer, PS. Panjagutta, Hyderabad.
3. One CC to SRI. N KRISHNA SUMANTH Advocate [OPUC]
4. Two CCs to PUBLIC PROSECUTOR, High Court at Hyderabad. [OUT]
5. One Spare Copy

GR

HIGH COURT

GSDJ

DATED:17/12/2019

ORDER



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CRLP.No.8006 of 2019

BAIL