IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

TUESDAY ,THE TWENTY EIGHTH DAY OF JANUARY TWO THOUSAND AND TWENTY

:PRESENT:
THE HONOURABLE JUSTICE G SRI DEVI
CRIMINAL PETITION NO: 400 OF 2020

Between:

1. Shaik Masthan Bee, W/o. Madar,
2. Shaik Rameej, S/o. Madar,

Petitioners/Accused No.2&3.

AND

The State of Telangana, rep. by Public Prosecutor, High Court for the State of Telangana 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. 2 and 3 on anticipatory bail in the event of their arrest in Crime No. 344 of 2019 on the file of the Sathupally Police Station, Khammam District.

The petition coming on for hearing, upon perusing the Petition and the grounds filed in support thereof and upon hearing the arguments of SRI P VISHNUVARDHANA REDDY 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.400 of 2020

ORDER:

This Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973, is filed by the petitioners/accused Nos.2 and 3 seeking to grant anticipatory bail in the event of their arrest in Crime No.344 of 2019 on the file of Sathupally Police Station, Khammam District, registered for the offences punishable under Sections 420 and 307 read with Section 34 IPC.

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

3. The case of the prosecution in brief is that the de facto complainant lodged a complaint stating that accused Nos.1 to 5 made him believe that exchange of fake currency is correct way to earn easy money within short period and offered to give 5 times of fake currency for original currency and when the de facto complainant expressed to give Rs.2 lakhs, accused No.1 advised him to come near Culvert on Kothuru and Rejerla Ghat road of Sathupalli Mandal with amount and that on 26.10.2019 at 7 hours at the above place, after taking Rs.2 lakhs from him, accused No.1 did not give fake currency and on the de facto complainant's raising voice, accused Nos.1, 3 and 5 pushed him and attacked with knives with an intention to kill him and that he took heels due to fear and the accused fled away in two cars.

4. Learned counsel for the petitioners submitted that the petitioners are falsely implicated in the above case; that petitioner No.1-accused No.2, who is the wife of accused No.1, is a house wife and a pardanashin lady and petitioner No.2-accused No.3 is the son of accused No.1 and they are no way concerned with the alleged offences; that accused Nos.1, 4 to 7 were arrested and were already released on bail; and that even as per the complaint, the accused tried to give fake currency, but only children playing currency was alleged to have been seized. Learned counsel further submitted 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 conceded to the fact that no injury whatsoever has been found on the body of the de facto complainant and the presence of petitioner No.1 was not shown in the F.I.R.

6. 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, Khammam Police Station, Khammam 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 on bail on each of them executing a personal bond to the tune of Rs.25,000/- (Rupees Twenty five 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/- N. PURUSHOTHAM REDDY
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Judicial First Class Magistrate at Sathupally.
2. The Station House Officer, Sathupally Police Station, Khammam District.
3. One CC to SRI. P VISHNUVARDHANA REDDY Advocate [OPUC]
4. Two CCs to PUBLIC PROSECUTOR, High Court at Hyderabad. [OUT]
5. One Spare Copy

GR

HIGH COURT

GSDJ

DATED:28/01/2012
2020

ORDER

CRLP.No.400 of 2020

BAIL

