

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

THURSDAY, THE TWENTIETH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY

**:PRESENT:
THE HONOURABLE JUSTICE G SRI DEVI
CRIMINAL PETITION NO: 1042 OF 2020**

Between:

Farooq Sadi, S/o. Late Ali Bin Salam Saadi

Petitioner/Accused No.2

AND

The State of Telangana, through Station House Office, Balapur
Police Station, Rachakonda Commissionerate, Represented by
Public Prosecutor, High Court for the State of Telangana

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 direct the
enlarged the Petitioner on bail in the event of his arrest in
connection with Crime No.36/2020 on the file of Police Station,
Balapur,

The petition coming on for hearing, upon perusing the Petition
and the grounds filed in support thereof and upon hearing the
arguments of SRI R GOPI MOHAN Advocate for the Petitioner and
the ADDITIONAL PUBLIC PROSECUTOR for the Hyderabad.

Respondent, the Court made the following.

ORDER:

THE HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION No.1042 of 2020

ORDER:

This Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973, is filed by the petitioner/accused No.2 seeking to grant anticipatory bail in the event of his arrest in Crime No.36 of 2020 on the file of Balapur Police Station, Rachakonda District, registered for the offences punishable under Sections 420 read with Section 511, 171(D) and 171(F) read with Section 511 IPC.

2. Heard learned counsel for the petitioner/accused No.2, learned Additional Public Prosecutor appearing for the respondent-State and perused the record.

3. The facts of the case in brief as per the complaint are that on 16.01.2020 at about 4 hours while the Sub-Inspector of Police, Rachakonda Commissionerate along with his staff was conducting vehicle checking at Errakunta Chowrasta, they found one person by name Syed Abdul Rahaman trying to escape and he was caught and on search, they found lot of voter ID cards in his possession; that when he was questioned about the same, he disclosed that the said voter ID cards which belongs to some persons of Jalpally Municipality were printed in his Mee-seva centre without consent of the voter ID card holders and intended to sold out the same to any political leader. Hence, the complaint.

4. Learned counsel for the petitioner submitted that even as per the complaint, there is no case against the petitioner; that basing on the confessional statement made by accused No.1, the petitioner is implicated by the investigation agency in a routine manner and without any iota of evidence; that even the FIR and the Remand report does not disclose the role of the petitioner in the alleged offence; and hence, he prayed to grant anticipatory bail to the petitioner. Learned counsel further submitted that the petitioner is a law abiding citizen and is ready to abide by any conditions that may be imposed by this Court in the event of his enlargement on anticipatory bail.

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

6. Even in the contents of the F.I.R., there is no mention of the name of the petitioner in the alleged offence and that based on the confessional statement of accused No.1 only, the case was foisted against the petitioner. The investigation into the case is not yet completed. Thus, looking into the nature of allegations levelled against the petitioner 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 petitioner.

7. The Criminal Petition is accordingly allowed subject to the following terms and conditions:-

(1) The petitioner is directed to surrender before
the Station House Officer, Balapur Police

Station, Rachakonda Commissionerate, within a period of 15 days from the date of this order. On such surrender, the said Station House Officer shall release the petitioner on bail on his 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.

(2) The petitioner shall appear before the Station House Officer concerned on alternate day between 10 am and 2 pm till the completion of trial;

(3) The petitioner shall not leave the territorial jurisdiction of the trial Court concerned without prior permission of the Court;

(4) The petitioner shall not indulge in similar type of activities in future and if he is found indulged in similar type of activities, the liberty granted to him shall automatically stands cancelled.

(5) The petitioner shall abide by the conditions stipulated in Section 438(2) Cr.P.C and shall co-operate with the Investigating Officer in investigating the case.

(6) The petitioner shall appear before the trial Court concerned on every date of hearing till the completion of trial.

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

SD/- T. RANGA BABU
AS ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. V Additional Metropolitan Magistrate cum V Additional Junior Civil Judge at L.B.Nagar.
2. The Station House Officer, Balapur Police Station, Rachakonda Commissionerate.
3. One CC to SRI. R GOPI MOHAN Advocate [OPUC]
4. Two CCs to PUBLIC PROSECUTOR, High Court at Hyderabad. [OUT]
5. One Spare Copy

GR

HIGH COURT

GSDJ

DATED:20/02/2020

ORDER

CRLP.No.1042 of 2020

BAIL



A handwritten signature in black ink, consisting of a stylized, cursive mark.