[3158]

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

THURSDAY ,THE SEVENTEENTH DAY OF DECEMBER
TWO THOUSAND AND TWENTY

:PRESENT:

THE HONOURABLE SRI JUSTICE K.LAKSHMAN

CRIMINAL PETITION NO: 6738 OF 2020

Between:

G. Manish Kumar, S/o G. Shiv Kumar

Petitioner/Accused No.2

AND

State of Telangana, through Station House Officer, PS Banjara Hills, Hyderabad, Rep by its Public Prosecutor High Court of Telangana, Hyderabad.

Respondent

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 respondent to enlarge the petitioner on bail in the event of his arrest in CC.No.8781 of 2020 (Crime No.338/2020, Banajara Hills PS) on the file of III Additional Chief Metropolitan Magistrate Court at Nampally, Hyderabad pending trial.

The petition coming on for hearing, upon perusing the Petition and the grounds filed in support thereof and upon hearing the arguments of M/S PILLIX LAW FIRM Advocate for the Petitioner and the PUBLIC PROSECUTOR for the Sole Respondent, the Court made the following.

ORDER:

THE HONOURABLE SRI JUSTICE K.LAKSHMAN

CRIMINAL PETITION No.6738 OF 2020

ORDER:

This is an application for anticipatory bail. The petitioner is A.2 in Crime No.338 of 2020 on the file of the Station House Officer, Banjara Hills Police Station relating to C.C.No.8781 of 2020 on the file of III Additional Chief Metropolitan Magistrate at Nampally, Hyderabad. The offences alleged against the petitioner are under Sections 406 and 420 IPC.

2. Heard M/s.Pilix Law Firm, for the petitioner and the learned Public Prosecutor for the respondent and perused the record.

3. As per the charge sheet, the petitioner/A.1, Managing Director of M/s.Suvarna Avani Estates, has involved in three crimes viz: Cr.Nos.131, 185 and 338 of 2020. According to learned counsel for the petitioner, three purchasers of plots have lodged the said complaints and the Police have registered the above said three crimes. A.1, Managing Director of the said Company, was arrested by the Police and he was enlarged on bail. The petitioner herein/A.2 is only a Marketing Manager of the said Company and he has no intention to cheat the defacto-complainant and there is no mention about the specific role played by the petitioner/A.2 in the commission of offence. The Police have already completed investigation and filed charge sheet in October, 2020 itself.

6. Considering the said facts and also the fact that the Police have already arrested the A.1, Managing Director of the Company and the

petitioner herein/A.2 is only a Marketing Manager of said Company, this Court is inclined to grant anticipatory bail to the petitioner – A.2.

7. Accordingly, the Criminal Petition is allowed with the following conditions:

i) The petitioner – A.2 is directed to surrender before the III Additional Chief Metropolitan Magistrate at Nampally, Hyderabad, within a period of fifteen (15) days from today, and on such surrender, the III Additional Chief Metropolitan Magistrate at Nampally, Hyderabad, shall release the petitioner - A.2 on bail on his executing personal bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties for a like sum each to the satisfaction of the III Additional Chief Metropolitan Magistrate at Nampally, Hyderabad.

ii) The petitioner –A.2 shall abide by the conditions stipulated in Section 438 (2) of Cr.P.C.

As a sequel, miscellaneous petitions, if any pending, shall stand closed.

Sd/-M. RAMANA KRISHNA
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The III Additional Chief Metropolitan Magistrate Court at Nampally, Hyderabad.
2. The Station House Officer, Banjara Hills Police Station, Hyderbad
3. One CC to M/S PILLIX LAW FIRM Advocate [OPUC]
4. Two CCs to PUBLIC PROSECUTOR, High Court at Hyderabad [OUT]
5. One spare Copy

HIGH COURT

KL,J

DATED:17/12/2020



ORDER

CRLP.No.6738 of 2020

BAIL