

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

TUESDAY, THE NINTH DAY OF MARCH TWO THOUSAND AND TWENTY ONE

:PRESENT:
THE HONOURABLE JUSTICE G SRI DEVI
CRIMINAL PETITION NO: 1240 OF 2021

Between:

Rapolu Srinivas, S/o. Venkataiah,

Petitioner/Accused

AND

The State of Telangana, Rep. by its Public Prosecutor High Court for the State of
Telangana Hyderabad.

Respondent/Complainant

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 direct the station house officer, Lingala Ghanpur police station, Jangaon District to release the petitioner on bail in the event of his arrest in connection with Cr.No. 161 of 2020 of Lingala Ghanpur POLICE STATION, JANGAON 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 C DAMODAR REDDY, Advocate for the Petitioner, Asst. PUBLIC PROSECUTOR for the Respondent, the Court made the following.

ORDER:

THE HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION No.1240 of 2021

ORDER:

This Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973, is filed by the petitioner/accused seeking to grant anticipatory bail in the event of his arrest in Cr.No.161 of 2020 on the file of Lingala Ghanpur Police Station, Jangaon District, registered for the offences punishable under Sections 420, 447, 354(D), 323, 509, 290 IPC.

2. Heard learned counsel for the petitioner/accused, learned Assistant Public Prosecutor appearing for the respondent-State and perused the record.

3. Learned counsel for the petitioner/accused would submit that the petitioner is innocent of the alleged offences as he never borrowed any amount from the de-facto complainant. He further submits that the petitioner is residing at Hyderabad and his house, situated at Lingala Ghanpur, was given on rent to the de-facto complainant to look after her mango garden situated at Kothapally and Kommaipally Villages and that she has also taken the petitioner's tractor on rent of Rs.12,000/- per month for her agricultural operations and as such, taking advantage of the absence of petitioner in the village, without his knowledge and signatures, the de-facto complainant gave his tractor in exchange to the dealer of the company and has taken a new tractor on her name. However, she filed this false complaint with obnoxious allegations in order to avoid returning of the tractor to petitioner. He further submits that even in her statement recorded under Section 161 Cr.P.C., she has not stated anything against the petitioner regarding misbehavior. He also submits that the petitioner is a law abiding citizen and he is ready to abide by any condition that may be imposed by this Court in the event of his enlargement on anticipatory bail.

4. Learned Assistant Public Prosecutor vehemently opposed to grant anticipatory bail to the petitioner and submits that the petitioner is having criminal history.

However, learned counsel for the petitioner refuted the same and submitted that in all previous cases, the petitioner has already been enlarged on bail and that no case is registered against him within six months from the date of initiation of the present case.

5. Having regard to the facts and circumstances and looking into the nature of allegations leveled against the petitioner, without adverting to the merits of the matter, I am inclined to grant anticipatory bail to the petitioner/accused.

6. The Criminal Petition is accordingly allowed and the petitioner/accused is granted anticipatory bail subject to the following terms and conditions:

(i) The petitioner/accused is directed to surrender before the Station House Officer, Lingala Ghanpur Police Station, Jangaon District, within a period of 15 days from the date of this order and on such surrender, the said Station House Officer shall release the petitioner/accused 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 sum each to his satisfaction.

(ii) On such release, the petitioner/accused shall appear before the Investigating Officer on first and third Saturday of every month between 10.00 AM and 2.00 PM till completion of investigation or filing of the charge sheet, whichever is earlier.

(iii) The petitioner/accused shall cooperate with the investigation and he shall abide by the other conditions stipulated in Section 438(2) Cr.P.C.

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

//TRUE COPY//

SD/- I.NAGA LAKSHMI
ASSISTANT REGISTRAR


SECTION OFFICER

To,

1. The Judicial First Class Magistrate at Jangaon. ✓
2. The Station House Officer, Lingala Ghanpur Police Station, Jangaon District. ✓
3. One CC to SRI C DAMODAR REDDY Advocate [OPUC] ✓
4. Two CCs to PUBLIC PROSECUTOR, High Court at Hyderabad. (OUT) ✓
5. One spare copy

mvj

HIGH COURT

GSD,J

DATED:09/03/2021

ORDER

CRLP.No.1240 of 2021

BAIL

09 MAR 2021