

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

WEDNESDAY, THE SEVENTH DAY OF APRIL
TWO THOUSAND AND TWENTY ONE

**:PRESENT:
THE HONOURABLE JUSTICE G SRI DEVI
CRIMINAL PETITION NO: 2468 OF 2021**

Between:

Avula Nageshwara Rao, S/o Pedda Nanaiah

Petitioner/Accused No.8

AND

The State of Telangana, Rep. by Public Prosecutor, High Court,
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 SHO of Chinthakani Police Station, Khammam District, Telangana State, to release Petitioner on bail in the event of his arrest in connection with Crime No.28 of 2021 of Chinthakani Police Station, Khammam District, Telangana State.

The petition coming on for hearing, upon perusing the Petition and the grounds filed in support thereof and upon hearing the arguments of Dr CHALLA SRINIVASA 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.2468 of 2021

ORDER:

This Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973, is filed by the petitioner/A9 seeking to grant anticipatory bail in the event of his arrest in Cr.No.28 of 2021 on the file of Chithakani Police Station, Khammam District, registered for the offences punishable under Sections 420,447, 467, 468, 469, 471, 506, 294-B r/w.34 IPC.

2. Heard learned counsel for the petitioner/A9, learned Assistant Public Prosecutor appearing for the respondent-State and perused the record.

3. Learned counsel for the petitioner/A9 submits that the petitioner is innocent of the alleged offences and he has been falsely implicated in the present crime due to local politics. He further submits that the petitioner has nothing to do with the alleged offences and no material is available against him. He further submits that the name of petitioner/A9 was not shown in the private complaint as well as the statements of witnesses recorded under Section 161 Cr.P.C., and that the police has created a false story based on the confessional panchanama of A1 to A3. He further submits that there is no incriminating material available against the petitioner to prosecute him in the present case. He further submits that as the petitioner is Ex-Sarpanch of the village, his political opponents have foisted him in this false case in order to harass him and that there were civil disputes pending with regard to the subject land. He further submits that the entire investigation is completed, except filing of the charge sheet. He also submits that the petitioner is a law abiding citizen and he has not involved in any criminal cases earlier to this crime 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. On the other hand, learned Assistant Public Prosecutor though opposed the petition conceded to the fact that the present case has been registered basing on a private complaint filed by the complainant and that all material witnesses have been examined and most part of the investigation in this case has been completed..

5. Thus, looking into the nature of allegations leveled against the petitioner/A9 and considering the facts and circumstances of the case, without advertng to the merits of the case, I am inclined to grant anticipatory bail to the petitioner on some conditions.

6. The Criminal Petition is accordingly allowed and the petitioner/ A9 is granted anticipatory bail subject to the following terms and conditions:

(i) The petitioner/A9 is directed to surrender before the Station House Officer, Chinthakani Police Station, Khammam 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/A9 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) Further, the petitioner/A9 shall abide by the conditions stipulated under Section 438(2) Cr.P.C.

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

//TRUE COPY//

SD/- K.VENKAIAH
ASSISTANT REGISTRAR

Kait
SECTION OFFICER

To,

1. The Pri. Sessions Judge, Khammam.
2. The Ill Addl. Judicial First Class Magistrate at Khammam.
3. The Station House Officer, Chinthakani Police Station, Khammam District, Telangana District.
4. One CC to Dr CHALLA SRINIVASA REDDY Advocate [OPUC]
5. Two CCs to PUBLIC PROSECUTOR, High Court at Hyderabad. (OUT)
6. One spare copy

mvj

HIGH COURT

GSD,J

DATED:07/04/2021

ORDER

CRLP.No.2468 of 2021

BAIL

