

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

**THURSDAY, THE THIRTEENTH DAY OF MAY
TWO THOUSAND AND TWENTY ONE**

: PRESENT:

THE HONOURABLE JUSTICE G SRI DEVI

CRIMINAL PETITION NO: 3617 OF 2021

Between:

1. Manthani Narender, S/o Sri Banaiah
2. Smt Manthani Lavanya, W/o Sri Rathan
3. Smt Godishela Saritha, W/o G. Sammaiah
4. Sri Manthani Sravan, S/o Sri N. Lingaiah

Petitioners/Accused

AND

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

Respondent/Complainant

Petition under Section 438 of Cr.P.C, praying that in the circumstances stated in support of the Criminal Petition, the High Court may be pleased to enlarge the petitioners on bail in the event of their arrest in FIR No. 34 of 2021, dated 4/2/2021 P.S.Manthani;

The petition coming on for hearing, upon perusing the Petition filed in support thereof and upon hearing the arguments of Sri G L Narasimha Rao Advocate for the Petitioners and Additional Public Prosecutor for the Respondent, the Court made the following.

ORDER:

HON'BLE JUSTICE G. SRI DEVI

Crl.P.No.3617 of 2021

ORDER :

This Criminal Petition is filed by the petitioners-accused No.s 3, 5, 10, 4 respectively, under Section 438 of the Criminal Procedure Code, 1973, seeking grant of anticipatory bail in the event of his arrest in FIR.No.34 of 2021 on the file of Manthani Police Station, registered for the offences punishable under Sections 366, 376(2)(n)(3) r/w 109 IPC and Sections 6 & 17 of POCSO Act 2012.

2. Heard the learned counsel for the petitioners and the learned Additional Public Prosecutor representing the State, and perused the record.
3. Learned counsel for the petitioners submits that the petitioners are no way concerned with the alleged offences and the petitioners are ready to abide by any conditions that may be imposed in the event of their enlargement on anticipatory bail.
5. Learned Additional Public Prosecutor vehemently opposed granting of anticipatory bail to the petitioners.
6. The only allegation against the petitioners is that they gave shelter to accused No.1 and the victim girl and there is no other allegation of what so ever against the present petitioners.

7. Looking into the nature of allegations leveled against the petitioners and having regard to the other facts and circumstances of the case, without delving into the merits of the case, I am inclined to grant anticipatory bail to the petitioners.

9. Accordingly, the Criminal Petition is allowed and the petitioners are granted anticipatory bail subject to the following terms and conditions:

- (i) The petitioners/accused No.s 3, 5, 10, 4 respectively are directed to surrender before the Station House Officer, Mantheni Police Station, within a period of four (04) weeks from the date of this order and on such surrender, the said Station House Officer shall release them on bail on their executing a personal bond for Rs.15,000/- (Rupees Fifteen thousand only) with two sureties each to the like sum, to the satisfaction of the aforesaid Station House Officer.
- (ii) The petitioners shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such fact to the Investigating Authority.
- (iii) The petitioners shall not act in any manner which will be prejudicial to fair and expeditious investigation.
- (iv) The petitioners shall not misuse the liberty granted to him, failing which the Court concerned shall take appropriate action in accordance with law in the light of the judgment of the Apex Court in **Sushila Aggarwal and others v. State (NCT of Delhi) and others¹**.
- (v) The petitioners shall also comply with the other conditions as laid down under Section 438 (2) of Cr.P.C.

¹ 2020 SCC Online SC 98

8. Miscellaneous petitions pending if any shall stand closed.

SD/- V.SUDHA
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Judicial Magistrate of First Class, at Manthani
2. The Station House Officer, Manthani Police Station, Ramagundam District
3. One CC to Sri G L Narasimha Rao Advocate [OPUC]
4. Two CC to Public Prosecutor, High Court, Hyderabad (OUT)
5. One spare copy

HIGH COURT

GSDJ

DATED:13/05/2021

ORDER

CRLP.No.3617 of 2021



CRLP. ALLOWED