

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

**WEDNESDAY, THE SECOND DAY OF JUNE TWO THOUSAND AND TWENTY
ONE**

:PRESENT:

**THE HONOURABLE JUSTICE G SRI DEVI
CRIMINAL PETITION NO: 3973 OF 2021**

Between:

1. B. Madhukar Reddy, S/o. Late Parandham Reddy
2. Mrs. B. Radhika, W/o. B. Madhukar Reddy
3. Adiraju Shashidhar, S/o. Veerabhadra Rao

Petitioners/A1 to A3

AND

The State of Telangana, rep. by Public Prosecutor, High Court of Telangana, Hyderabad.

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 grant anticipatory bail to the petitioners/Accused in the event of their arrest in connection with F.I.R.No.70/2021 on the file of the Station House Officer, Punjagutta P.S., Hyderabad, as otherwise the petitioners will be put heavy and irreparable loss.

The petition coming on for hearing, upon perusing the Petition and the grounds filed in support thereof and upon hearing the arguments of SRI D Y L N CHARYULU Advocate for the Petitioner(s), PUBLIC PROSECUTOR for the Respondent and the Court made the following.

ORDER

THE HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION No.3973 of 2021

ORDER:

This Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973, is filed by the petitioners/A1 to A3 seeking to grant anticipatory bail in the event of their arrest in Cr.No.70 of 2021 on the file of Panjagutta Police Station, Hyderabad District, registered for the offences punishable under Sections 418, 420, 506 read with Section 120-B IPC.

2. Heard learned counsel for the petitioners/A1 to A3, learned Assistant Public Prosecutor appearing for the respondent-State and perused the record.

3. It is alleged in the complaint that when the de-facto complainant intends to start a restaurant at Panjagutta to eke out her livelihood, the accused representing as owners offered the ground floor premises for rent of Rs.1,00,000/- with 6 months rent as security and one month in advance, and accordingly she paid the same and spent Rs.27 lakhs for furniture etc., for the restaurant, but the accused have neither allowed her to run the restaurant nor repaid the amount, thereby cheated her.

4. Learned counsel for the petitioners/A1 to A3 would submit that the 1st petitioner has lodged a complaint against the de-facto complainant on 13.08.2020 for not paying the rent and as a counterblast the present complaint is filed. He would further submit that even as per the complaint, the dispute is civil in nature and a civil suit is already pending between the parties. He would also submit that petitioners are not involved in any other crime prior to this occurrence and they are a law abiding citizens and ready to abide by any condition that may be imposed by this Court in the event of their enlargement on anticipatory bail.

5. Learned Assistant Public Prosecutor vehemently opposed to grant anticipatory bail to the petitioners.

6. The present FIR has been registered basing on a private complaint filed by the de-facto complainant and the same was referred under Section 156(3) Cr.P.C. Having regard to the facts and circumstances and since there are civil disputes pending between the parties, and also in view of peculiar conditions of pandemic COVID-19 prevailing in the country, without delving into the merits of the matter, I am inclined to grant anticipatory bail to the petitioners/A1 to A3.

7. The Criminal Petition is accordingly allowed and the petitioners/A1 to A3 are granted anticipatory bail subject to the following terms and conditions:

(i) The petitioners/A1 to A3 are directed to surrender before the Station House Officer, Punjagutta Police Station, Hyderabad 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 petitioners/A1 to A3 on bail on their executing a personal bond to the tune of Rs.25,000/- (Rupees twenty five thousand only) each with two sureties for the like sum each to his satisfaction.

(ii) On such release, the petitioners/A1 to A3 shall appear before the Investigating Officer on 3rd Saturday of every month between 10.00 AM and 2.00 PM., from 15.07.2021 onwards, till completion of investigation or filing of the charge sheet, whichever is earlier.

(iii) The petitioners/A1 to A3 shall abide by the other conditions stipulated in Section 438(2) Cr.P.C.

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

Sd/- T.TIRUMALA DEVI
ASSISTANT REGISTRAR

SECTION OFFICER

//TRUE COPY//

To,

1. The XIV Addl Chief Metropolitan Magistrate at Nampally, Hyderabad
2. The Station House Officer, Punjagutta P.S., Hyderabad District
3. One CC to SRI. D Y L N CHARYULU Advocate [OPUC]
4. Two CC's to Public Prosecutor, High Court for the State of Telangana at Hyderabad (OUT)
5. One spare copy

Avs

HIGH COURT

GSDJ

DATED:02/06/2021

ORDER

CRLP.No.3973 of 2021



BAIL