

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

**THURSDAY, THE SEVENTEENTH DAY OF JUNE
TWO THOUSAND AND TWENTY ONE**

PRESENT

THE HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION NO: 4317 OF 2021

Between:

Madikonda Sharavan Kumar @ Sravan Kumar, s/o Meshak, aged about 34 years,
occ. Business r/o H.No. 311/112/A/9/3, Bheem Reddy Colony St.No. 6, Boduppal,
R.R.District, now at Ramnagar, Karimnagar.

.....PETITIONER/ACCUSED

AND

The State of Telangana, through S.H.O., Karimnagar II Town Police Station,
Karimnagar District, rep. by its Public Prosecutor, High Court, Hyderabad.

.....RESPONDENT/COMPLAINANT

Petition under Section 438 of Cr.P.C praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to enlarge the petitioner herein on bail in the event of his arrest in connection C.C. No. 1617 of 2015 on the file of the III Additional Judicial Magistrate of First Class (Special Mobile) Karimnagar, which arose out of FIR No.102 of 2015 of Karimnagar II Town Police Station, Karimnagar.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri N. Hari Prasad, Advocate for the Petitioner and the Additional Public Prosecutor on behalf of the Respondent

The Court made the following: ORDER

THE HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION No.4317 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 connection with Crime No.102 of 2015 of Karimnagar II Town Police Station, Karimnagar District, which was registered for the offence punishable under Section 420 of IPC.

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

3. The allegation against the petitioner/accused as per FIR is that the petitioner/accused has collected an amount of Rs.40,500/- from the complainant-Keshaveni Sadaiah with an assurance that he will arrange loan for an amount of Rs.1 lakh from the Bank to him as he is physically handicapped person; but the petitioner/accused has failed to arrange the said loan amount and dishonestly cheated the complainant. Hence, the FIR.

4. Learned counsel for the petitioner would submit that the petitioner/accused has not committed any offence. It is further submitted that the FIR was registered in the year 2015 and the Police have already filed charge sheet in the year 2015. However, the petitioner/accused was not aware of the case pending against him. As such, he could not surrender before the Court concerned. It is further submitted that there is no evidence against the

petitioner/accused and the allegations levelled against the petitioner are vague. The petitioner/accused is ready to abide by any conditions that may be imposed in the event he is enlarged on bail.

5. Learned Assistant Public Prosecutor has vehemently opposed the bail application and submitted that the charge sheet and offence are pertaining to the year 2013 and charge sheet has already been submitted and CC.No.1617 of 2015 is pending on the file of the III Additional Judicial Magistrate of First Class (Special Mobile Court), Karimnagar and NBW has also been issued against the petitioner/accused which is pending for execution against the petitioner/accused.

6. So, looking into the nature of allegations and status of the case pending before the Court concerned, I am not inclined to release the petitioner/accused on anticipatory bail and the prayer for anticipatory bail is rejected.

7. Accordingly, the Criminal Petition is dismissed. However, the petitioner is directed to surrender before the Court concerned within ten days from today and on such surrender and applying for regular bail, his bail application shall be considered by the Court in accordance with law.

SD/-B.SATYAVATHI
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The III Additional Judicial Magistrate of First Class (Special Mobile)
Karimnagar District
2. The Station House Officer, Karimnagar II Town Police Station, Karimnagar II Town,
Karimnagar District
3. One CC to Sri N. Hari Prasad, Advocate [OPUC]
4. Two CC's to the Public Prosecutor, High Court for the State of Telangana at
Hyderabad [OUT]
5. Two CD Copies
6. One Spare Copy

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HIGH COURT

DATED: 17/06/2021

ORDER

CRLP.No.4317 of 2021



DISMISSING THE CRIMINAL PETITION

⑧ VLW
26/6/21