

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

WEDNESDAY, THE TWENTY EIGHTH DAY OF JULY TWO THOUSAND AND
TWENTY ONE

:PRESENT:

THE HONOURABLE JUSTICE G SRI DEVI

CRIMINAL PETITION NO: 5464 OF 2021

Between:

1. Marati Chandra Shekhar, S/o. M.Veerappa,
2. Thumpally Dayakar, S/o. Balaiah,

Petitioners/Accused Nos.5 & 6

AND

The State of Telangana, rep. by Its Public Prosecutor, High Court
Building, 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 enlarge the Petitioners/Accused No.5 and 6 on Anticipatory Bail in the event of their arrest in Crime No.94/2021, on the file of Nawabpet Police Station,;

The petition coming on for hearing, upon perusing the Petition and the grounds filed in support thereof and upon hearing the arguments of SRI A MAHESH KUMAR Advocate for the Petitioners and ASSISTANT PUBLIC PROSECUTOR for the Respondent, the Court made the following.

ORDER:

THE HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION No.5464 of 2021

ORDER:

The Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973, is filed by the petitioners/A5 and A6 seeking to grant anticipatory bail in the event of their arrest in Cr. No.94 of 2021 on the file of Nawabpet Police Station, Vikarabad District, registered for the offences under Sections 420, 506, 509 and 504 IPC.

2. Heard learned counsel appearing for the petitioners/A5 and A6, learned Assistant Public Prosecutor appearing for the respondent-State and perused the record.

3. The prosecution case is that on believing the words of A1 and A2 that they have to purchase gold less than the market rate, the de-facto complainant gave Rs.3,00,000/- to them, but they did not give any gold to her, and that the accused along with 25 members threatened the de-facto complainant not to ask the amount, otherwise they would kill her.

4. Learned counsel for the petitioners/A5 and A6 would submit that the petitioners are innocent and they have not committed any offence as alleged by the prosecution. He would further submit that the petitioners never threatened the de-facto complainant at any point of time and that A1 and A2 are main accused in the above crime. He would also submit that the entire investigation is completed, except filing of the charge sheet and that they are law

abiding citizens and ready to abide by any condition that may be imposed in the event of their enlargement on anticipatory bail.

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

6. Even according to the complaint, the only allegation against the petitioners is that the petitioners along with 25 members have threatened the de-facto complainant not to demand amount from A1 and A2. However, it is not specifically mentioned as to how the petitioners are related to the alleged offences. Thus, looking into the nature of allegations leveled against the petitioners and other facts and circumstances, without delving into the merits of the matter, I am inclined to grant anticipatory bail to the petitioners/A5 and A6.

7. Accordingly, the Criminal Petition is allowed and the petitioners/A5 and A6 are granted anticipatory bail subject to the following terms and conditions:

- (i) The petitioners/A5 and A6 are directed to surrender before the Station House Officer, Nawabpet Police Station, Vikarabad District, within a period of 15 days from today, and on such surrender, the said Station House Officer shall release the petitioners/A5 and A6 on bail on their executing a personal bond to the tune of Rs.30,000/- (Rupees thirty thousand only) each with two sureties each to the like amount to his satisfaction.
- (ii) On such release, the petitioners/A5 and A6 shall personally appear before the Investigating Officer on 3rd Friday of every month between 10.00 AM and

2.00 P.M., till completion of the investigation and filing of the charge sheet.

- (iii) The petitioners/A5 and A6 shall comply with the conditions as laid down under Section 438 (2) of Cr.P.C. and they shall cooperate with the investigation.

SD/- K AMMAJI
Assistant Registrar

//TRUE COPY//

SECTION OFFICER

To,

1. The XII Addl. Sessions Judge, Rangareddy District at Vikarabad
2. The Station House Officer, Nawabpet Police Station, Vikarabad District.
3. One CC to SRI. A MAHESH KUMAR Advocate [OPUC]
4. Two CCs to the PUBLIC PROSECUTOR, High Court for the State of Telangana, Hyderabad (OUT)
5. One spare copy

HIGH COURT

GSDJ

DATED: 28.07.2021

ORDER

CRLP. NO: 5464 of 2021

CRIMINAL PETITION IS ALLOWED

