

HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

CRIMINAL PETITION No.2025 of 2022

ORDER:

This petition is filed under Section 438 of the Code of Criminal Procedure, 1973 (for short "Cr.P.C.") seeking pre-arrest bail to the petitioner/accused in the event of his arrest in connection with an unregistered crime of 2022 of Nirmal Town Police Station for the offences under Sections 420 and 406 IPC.

2. Heard Mr.D.Ram Reddy, learned counsel for petitioner, and learned Additional Public Prosecutor for respondent-State.

3. Learned counsel for petitioner submits that petitioner is a practicing advocate and is also Standing Counsel of S.B.I., Telangana. The petitioner has given an opinion in the year 2011 and a crime was registered on 2016 i.e., Crime No.248 of 2016, against the borrowers. As the petitioner has given the legal opinion, he has been continuously called to the police station. He submits that the petitioner has not committed any offence and basing on the legal opinion, he cannot be harassed. Petitioner is apprehending that he may be arrested. In support of his contention, learned counsel relied on the judgment of Apex Court in **Central Bureau of**

Investigation v. K.Narayana Rao¹. Hence, the petitioner's case may be considered for grant of pre-arrest bail.

5. Learned Assistant Public Prosecutor submits that the crime is of the year 2016 and so far petitioner is not arrayed as accused. He submits that the petitioner was called to the Police Station to record his statement, as he has given opinion.

6. Taking all these facts into consideration and as the petitioner, being an advocate, has rendered legal opinion in the year 2011 and crime was registered in 2016, this Court deems it fit to grant bail to the petitioner/accused.

7. Accordingly, the criminal petition is allowed. The petitioner shall surrender before the Station House Officer, Nirmal Town Police Station in connection with Crime No.248 of 2016 within one week from today and on such surrender and executing personal bonds for Rs.20,000/- (Rupees twenty thousand only) each with two sureties for a like sum each to the satisfaction of the said Station House Officer, he shall be released on bail. It is made clear that no further extension of time will be granted.

Miscellaneous petitions pending, if any, shall stand closed.

LALITHA KANNEGANTI, J

Date: 11.03.2022
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¹ (2012) 9 SCC 512