

THE HONBLE DR. JUSTICE D.NAGARJUN

CRIMINAL PETITION No. 4244 of 2022

ORDER:

This Criminal Petition is filed under Section 438 of the Code of Criminal Procedure, 1973 (for short “Cr.P.C.”) for enlarging the petitioner-accused No.3 on anticipatory bail in Crime No.185 of 2022 of Bowenpalli Police Station registered for the offence punishable under Section 392 of the Indian Penal Code.

2. According to the First Information Report, on 22.04.2022 at 9.30 PM, the Police have received complaint from *de-facto* complainant alleging on 22.04.2022 at 6.45 PM while he along with his colleague were proceeding from Begumbazar to Quthbullapur in Bolero four wheeler goods vehicle bearing registration No. TS 07 UG 8702 and when they reached near traffic point New Bowenpally the petitioners along with two unknown persons beat him and his colleague and forcibly taken Rs.10,000/- and fled away.

3. Learned counsel for the petitioner has submitted that petitioner-accused No. 3 is no way concerned with the alleged offence against him; Rs.10,000/- was recovered from accused No. 1; accused Nos. 1 and 2 were arrested, remanded to judicial

custody and thereafter enlarged on bail and hence prayed for grant of anticipatory bail to the petitioner-accused No.3.

4. On the other hand, learned Assistant Public Prosecutor has opposed for grant of anticipatory bail to the petitioner-accused No. 3 stating that investigation is not completed.

5. It is to be seen that though money was seized from accused No. 1, the presence of petitioner-accused No. 3 at the scene of offence is also mentioned in the FIR.

6. Considering the nature of allegations leveled against the petitioner, it is not a fit case to grant anticipatory bail to the petitioner-accused No. 3. However, the petitioner-accused No. 3 is directed to surrender before the trial Court within a week from the date of this order and on such surrender the trial Court is directed to dispose of the petition on the very same day after hearing both sides.

7. With the above observations, the Criminal Petition is disposed of.

As a sequel, pending miscellaneous applications, if any, shall stand closed.

DR. D.NAGARJUN, J

Date: 05.05.2022
AS