

THE HON'BLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No.5053 OF 2022

ORDER:

This Criminal Petition is filed under Section 438 of Cr.P.C., seeking pre-arrest bail to the petitioners/accused Nos.1 and 2 in the event of their arrest in connection with Crime No.30 of 2022, pending on the file of Suryapet II Town Police Station, Suryapet District, registered for the offences punishable under Sections 409, 420 read with 511 of Indian Penal Code.

2. Heard learned counsel for petitioners/accused Nos.1 and 2 and learned Assistant Public Prosecutor for the respondent-State. Perused the record.

3. The case of the prosecution is that the *de facto* complainant filed complaint stating that his daughter and these petitioners are business partners and for the purpose of running the business certain signed cheques were issued in favour of these petitioners during the course of day to day business. The main allegation is that the cheques, which were given for running the business, were misused and cheque bounce cases were filed by these petitioners.

4. As seen from the complaint, the fact as to whether there were any outstanding dues, subsequent to which the cheques were

deposited in the Bank, is a factual issue to be decided in the cases filed under Section 138 of Negotiable Instruments Act by these petitioners.

5. In the said circumstances, petitioners/accused Nos.1 and 2 can be granted the relief of Anticipatory Bail, on the following conditions:

- i) The petitioners/accused Nos.1 and 2 are directed to surrender before the Station House Officer, Suryapet II Town Police Station, Suryapet District, within a period of ten days from the date of this order. On such surrender, the said Station House Officer shall release the petitioners/accused Nos.1 and 2 on bail, on their executing a personal bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties in a like sum each to his satisfaction.
- ii) On such release, the petitioners/accused Nos.1 and 2 shall report before the said Station House Officer as and when required for investigation.
- iii) The petitioners/accused Nos.1 and 2 shall abide by the other conditions stipulated in Section 438(2) of Cr.P.C and shall co-operate with the Investigating Officer in investigating the case.

Accordingly, the Criminal Petition is allowed.

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

K.SURENDER, J

Date :23.06.2022

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Dt.23.06.2022

