

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION No.6648 OF 2022****ORDER:**

This Criminal Petition is filed under Section 438 of the Code of Criminal Procedure, 1973 seeking bail to the petitioner who is arrayed as Accused No.2 in the event of his arrest in Crime No.308 of 2022 on the file of Station House Officer, Khammam II Town Police Station, Khammam District registered for the offences punishable under Sections 406, 420, 294(b) and 506 read with Section 34 of Indian Penal Code and Sections 4 and 5 of TSCF Act and Section 5 of TSPDFE Act.

2. Heard learned counsel for petitioner/Accused No.2 and learned Assistant Public Prosecutor for respondent-State. Perused the record.

3. A complaint was lodged on 04.07.2022 stating that this petitioner and his wife had taken amounts from different persons totaling to Rs.4,53,57,000/-. On the basis of the said complaint, the police registered the offences under Sections 406, 420, 294(b) and 506 read with Section 34 of Indian Penal Code and Sections 4 and 5 of TSCF Act and Section 5 of TSPDFE Act.

4. Learned senior counsel appearing for the petitioner would submit that there are no allegations as far as this petitioner is concerned except stating that his wife who is Accused No.1 had collected the amounts. Learned counsel further submits that this petitioner had filed a complaint on 01.07.2022 with the II Town Police Station Khammam against his wife and others for cheating several persons by taking amounts without his knowledge. The said complaint was closed by the concerned police as civil in nature.

5. However keeping in view the complaint dated 01.07.2022 lodged by this petitioner against his wife, the relief of anticipatory bail can be granted to this petitioner.

6. Accordingly, the Criminal Petition is allowed and the petitioner/Accused No.2 shall be enlarged on bail in the event of his arrest subject to the following conditions:

i) The petitioner/Accused No.2 is directed to surrender before the Station House Officer, Khammam II Town Police Station, Khammam District within one week from today, and on such surrender, he shall be enlarged on bail on his executing personal bonds for a sum of Rs.1,00,000/- (Rupees One Lakh Only) with two sureties to the like sum each, to its satisfaction.

ii) The petitioner/Accused No.2 shall appear before the concerned Station House Officer on every Monday and Thursday between 10.30 AM and 01.00 PM for a period of six (06) weeks or till filing of charge sheet whoever is earlier.

iii) The petitioner/Accused No.2 shall abide by the other conditions stipulated in Section 438(2) Cr.P.C.

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

Date: 01.08.2022
ns

K.SURENDER, J