

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

**WEDNESDAY, THE TWENTY FIRST DAY OF SEPTEMBER
TWO THOUSAND AND TWENTY TWO**

PRESENT

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION NO: 7868 OF 2022

Between:

Avula Mohan Reddy, S/o. Laxmikanth Reddy, Aged about 50 years, Occ-
Business, R/o. Kaikondaigudem, Khammam District, Telangana

...PETITIONER/ACCUSED No.1

AND

1. The State of Telangana, Rep. by its Station House Officer, P.S. Khanapuram, Khammam District, Through the Public Prosecutor, High Court High Court for the State of Telangana

...RESPONDENT No.1

2. Kopela Rambabu, S/o. Samuel, Aged about 28 years, Occ- Labourer, R/o. Puttakota Village, Khammam District, Telangana

...RESPONDENT/DEFACTO COMPLAINANT

Petition under Section 438 of Cr.P.C praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to direct the S.H.O. of P.S., Khanapuram, Khammam District, Telangana to enlarge the Petitioner/Accused No. 1 on bail in the event of his arrest by the P.S. Khanapuram in FIR. No. 280 of 2022 dated 24/08/2022.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri G. Venkat Sri Maithreya, Advocate for the Petitioner and the Assistant Public Prosecutor on behalf of the Respondent No.1 and none appeared for the Respondent No.2.

The Court made the following: ORDER

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION No.7868 OF 2022****ORDER:**

This Criminal Petition is filed under Section 438 of the Code of Criminal Procedure, 1973 seeking pre-arrest bail to the petitioner, who is arrayed as Accused No.1 in the event of his arrest in Crime No.280 of 2022 on the file of Station House Officer, Khanapuram Haveli Police Station, Khammam District registered for the offences punishable under Sections 306 and 420 read with Section 34 of Indian Penal Code and Section 3(2)(V) of SC/ST Atrocities Prevention Act, 1989.

2. Heard the learned counsel for the petitioner and learned Assistant Public Prosecutor for the respondent-State. Notice issued on the 2nd respondent/*de facto* complainant. Perused the record.

3. The facts of the case are that this petitioner and two others sold Ac.0-30 guntas of land in favour of the deceased under an agreement of sale and when she asked them to register the land, this petitioner and two others abused her, beat her with hands and cheated her without registering the said land in her favour. Because

of mental depression that she lost her land, the *de facto* complainant's mother committed suicide by consuming pesticide.

4. Learned counsel for the petitioner submits that a complaint was lodged against the police officials for harassing him and demanding bribe of Rs.7,00,000/- and that the police officials are supporting the victim.

5. Keeping in view that there were several allegations which are made, the petitioner/Accused No.1 cannot be granted the relief of anticipatory bail. However, the petitioner/Accused No.1 if so advised to surrender before the concerned Court by filing an application seeking regular bail and upon such surrender the concerned Court shall dispose off the bail application on the very same day or the next day on merits after giving opportunity to the learned Public Prosecutor.

6. Accordingly, the Criminal Petition is disposed off.

Miscellaneous applications, if any, pending shall stand closed.

SD/-N.CHANDRA SEKHAR RAO
ASSISTANT REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. The II Additional Judicial First Class Magistrate at Khammam.
2. The Station House Officer, Khanapuram Police Station, Khammam District.
3. One CC to Sri G. Venkat Sri Maithreya, Advocate [OPUC]
4. Two CCs to the Public Prosecutor, High Court for the State of Telangana at Hyderabad. [OUT]
5. Two CD Copies
6. One Spare Copy

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HIGH COURT

DATED: 21/09/2022

ORDER

CRLP.No.7868 of 2022



DISPOSING OF THE CRL.P

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MMS
20/10/2022