

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION No.7939 OF 2022****ORDER:**

This Criminal Petition is filed under Section 438 of the Code of Criminal Procedure, 1973 seeking bail to the petitioners who are arrayed as Accused Nos.1 and 2 in the event of their arrest in Crime No.210 of 2022 on the file of Station House Officer, Parkal Town Police Station, Warangal District registered for the offences punishable under Sections 457 and 480 of Indian Penal Code.

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

3. The case against these petitioners is that they have broken the lock of the tin shed of the *de facto* complainant and locked the said tin shed with another lock. The *de facto* complainant broke open the said lock which was put up by these petitioners and he found that some material worth of Rs.50,000/- was missing from his shop, as such, he requested to take action.

4. Learned counsel for the petitioners submits that the petitioners did not have the permission from the Jama Masjid Eidgah Masjid for erecting the said shop. However, civil suit is also filed which is pending adjudication before the civil Court and deliberately the *de facto* complainant has made false allegations against these petitioners of committing theft.

5. In the background of there being civil disputes with respect to the shop of the *de facto* complainant, these petitioners can be granted the relief of anticipatory bail.

6. Accordingly, the Criminal Petition is allowed and the petitioner/Accused Nos.1 and 2 shall be enlarged on bail in the event of their arrest subject to the following conditions:

i) The petitioners/Accused Nos.1 and 2 are directed to surrender before the Station House Officer, Parkal Town Police Station, Warangal District within one week from today, and on such surrender, they shall be enlarged on bail on their executing personal bonds for a sum of Rs.25,000/- (Rupees Twenty Five Thousand Only) each with two sureties to the like sum each, to its satisfaction.

ii) The petitioner/Accused No.1 shall appear before the concerned Station House Officer on every Monday between 10.30 AM and 01.00 PM for a period of eight (08) weeks or till filing of charge sheet whoever is earlier.

iii) The petitioner/Accused No.2 shall appear before the investigating authorities as and when required for the purpose of investigation.

iv) The petitioners/Accused Nos.1 and 2 shall abide by the other conditions stipulated in Section 438(2) Cr.P.C.

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

Date: 12.09.2022
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K.SURENDER, J