

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION NO.9642 OF 2022

O R D E R:

This Criminal Petition is filed under Section 438 of the Code of Criminal Procedure, 1973 (for short “Cr.P.C.”) seeking pre-arrest bail to the petitioners, who are arrayed as Accused Nos.1 to 4, in the event of their arrest in connection with Crime No.341 of 2022 of Khammam Rural Police Station, Khammam District, registered for the offence punishable under Section 306 read with Section 34 of the Indian Penal Code.

2. Heard learned counsel for the petitioners/Accused Nos.1 to 4 and learned Additional Public Prosecutor for the respondent-State. Perused the record.

3. The allegation against the petitioners/Accused Nos.1 to 4 is that they are employees of HDB Financial Services, Miryalaguda, Nalgonda District, who granted loan to the husband of the *de facto* complainant for purchase of Lorry. Since there was no business, the deceased failed to make E.M.I. payments, for which reason these petitioners were complicit in threatening the husband of *de facto* complainant and also the

vehicle was taken away. For which reason, the deceased committed suicide.

4. Learned counsel for the petitioners would submit that the collection process was entrusted to third parties and these petitioners never approached the deceased for collection of E.M.Is.

5. As seen from the complaint, there is specific mention about the names of these petitioners. However, keeping in view that there was a loan, which was granted by the Company of these petitioners, where they are working and it is alleged that these petitioners in fact were trying to collect the money, however, by force.

6. In the said circumstances, these petitioners, who are acting on behalf of the firm, can be granted the relief of anticipatory bail.

7. Accordingly, the Criminal Petition is allowed and the petitioners/Accused Nos.1 to 4 are granted anticipatory bail subject to the following conditions:

- i) The petitioners/Accused Nos.1 to 4 are directed to surrender before the of Station House Officer, Khammam Rural Police Station, Khammam District, within ten (10) days from today, and on such surrender, they shall be enlarged on bail on their executing personal bonds for a sum of Rs.1,00,000/- (Rupees One Lakh Only) each with two sureties to the like sum each, to its satisfaction. On failure to surrender within ten (10) days, the order shall stands cancelled.
- ii) The petitioners/Accused Nos.1 to 4 shall appear before the concerned Station House Officer on everyday between 10.30 AM and 01.00 PM for a period of thirty (30) days and thereafter as and when required for the purpose of investigation.
- iii) The petitioners/Accused Nos.1 to 4 shall abide by the other conditions stipulated in Section 438(2) Cr.P.C.

Pending miscellaneous applications, if any, shall stand closed.

K.SURENDER,J

Date: 09.11.2022

svl/rev

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Dt. 09.11.2022

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