

THE HONOURABLE SRI JUSTICE M.LAXMAN

CRIMINAL PETITION NO.4707 OF 2023

ORDER:

1. This petition is filed seeking anticipatory bail under Section 438 of Criminal Procedure Code, 1973 (Cr.P.C). The petitioners are accused Nos.1 to 6 in Crime No.322 of 2023 of Medchal Police Station, Cyberabad. The offences alleged against the petitioners are under Sections 386, 447, 341, 504 and 506 read with Section 34 of the Indian Penal Code.

2. The sum and substance of case of the prosecution is that there are civil disputes between the complainant and one Sara family. The accused under the guise of execution of sada bainama by one Sara Venkaiah and his son were trying to grab the land of the complainant stating that their claims were recorded in possession column of the revenue records. In this regard, litigations are pending before the concerned Courts. While so, the accused allegedly went to the land of the complainant and threatened him not to enter into the land unless he pays Rs.5 crores to them. The accused created fear in him and also threatened to kill him.

3. Heard both sides.

4. As seen from the complaint, there is no specific allegation to attract offence under Section 387 of IPC. In order to attract said offence, there must be commission of extortion and while commission of such extortion the fear of death or of grievous hurt has to be put to that person. Further, there must be delivery of property out of fear.

5. In the present case, as seen from the allegation there is no delivery of property and other offences alleged against the accused are bailable. Considering the same, the request of the petitioners for grant of anticipatory bail can be accepted.

6. Accordingly, the Criminal Petition is allowed on the following terms and conditions:

(i) The petitioners/accused Nos.1 to 6 are enlarged on bail in the event of their arrest in connection with FIR No.322 of 2023 on the file of the Station House Officer, Medchal Police Station, Cyberabad, on their executing personal bond for a sum of Rs.20,000/- (Rupees Twenty Thousand only) each with two sureties to the like sum each to the satisfaction of concerned Station House Officer.

(ii) The petitioners/accused Nos.1 to 6 shall appear before the Station House Officer, Medchal Police Station, Cyberabad, on every Sunday between 10.00 am and 05.00 pm for two months.

(iii) The petitioners/accused Nos.1 to 6 shall abide by the other conditions stipulated in Section 438 (2) Cr.P.C and co-operate with the Investigating Officer in investigating the case.

Date: 14.06.2023
GVR

JUSTICE M. LAXMAN