

THE HON'BLE SRI JUSTICE M. LAXMAN

CRIMINAL PETITION No.4965 of 2023

ORDER:-

This petition is filed under Sections 438 of Code of the Criminal Procedure, 1973 (for short 'Cr.P.C.') seeking to enlarge the petitioner/accused No.2 on anticipatory bail in the event of his arrest in Crime No.112/2023 on the file of the Station House Officer, Enumula Police Station, Warangal District for the offences punishable under Sections 420, 386, 506 r/w 34 of the Indian Penal Code, 1860 (for short "I.P.C").

2. Heard learned counsel for the petitioner and learned Public Prosecutor appearing for the respondent.

3. The sum and substance of the case of the prosecution is that accused No.1 and the victim were having close acquaintance with each other. The victim received compensation amount granted to her husband, who died in a road accident. The victim opened an account in the bank in which accused No.1 was already having account. While drawing the amount, taking advantage of the acquaintance, accused No.1 furnished his cell number and by downloading the Yono app, allegedly withdrawn an amount of Rs.2,65,000/- from the account of the victim. On knowing about the fraud committed by accused No.1, the victim

demanded the money. Then accused No.1 abused and threatened her. He also informed his friend to threaten the victim on phone. Accused No.2 allegedly threatened the victim on phone.

4. Considering the allegations made against the petitioner, the only offence found to be made out against accused No.2 was Section 506 of I.P.C., which is a bailable offence. Except the above allegations the other allegations are attributed against accused No.1. In the said circumstances, this is a fit case to grant bail to the petitioner/accused No.2.

5. In the result, the Criminal Petition is allowed and the petitioner is granted anticipatory bail subject to the following conditions:-

- i) The petitioner is enlarged on bail in the event of his arrest in connection with Crime No.112/2023 on the file of the Station House Officer, Enumamula Police Station, Warangal District, on his executing a personal bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand Only) with two sureties each to the like sum each to the satisfaction of the concerned Station House Officer.
- ii) The petitioner shall make available with the investigating agency for proper investigation and he shall fully cooperate with

the investigating agency. He shall not act in any manner which will be prejudicial to fair and expeditious investigation.

iii) The petitioner 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.

Consequently, miscellaneous applications pending, if any, shall stand closed.

Date: 12.06.2023
ESP

M. LAXMAN, J

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ESP/FM