

**THE HON'BLE SRI JUSTICE M.LAXMAN**  
**CRIMINAL PETITION No.5979 of 2023**

**ORDER:**

1. This petition is filed under Section 438 of Criminal Procedure Code, 1973 (Cr.P.C) seeking to grant anticipatory bail to the petitioners, who are arrayed as accused Nos.1 to 8 in Crime No.33 of 2023 of Pocharam IT Corridor Police Station, Rachakonda District. The offences alleged against the petitioners are under Sections 342, 387, 120b read with Section 149 of the Indian Penal Code.

2. The case of the prosecution is that originally registered partnership deed was entered between the complainant and accused No.1 in the year 2017. Subsequently, complainant retired from the partnership firm on 24.12.2022 and retirement deed was executed, partnership firm was reconstituted and the same was notified to the Registrar of Firms. Thereafter, reconstituted partnership firm executed various sale transactions.

3. The main grievance of the complainant is that the retirement deed and reconstitution deed were obtained by wrongful confinement and coercion. Therefore, he filed the present complaint in the month of June, 2023.

4. Learned counsel appearing for the petitioners stated that the petitioners are innocent and they have not committed any offence as alleged by the prosecution and seeks to grant anticipatory bail to the petitioners.

5. Learned Additional Public Prosecutor opposed to grant bail to the petitioners.

6. Heard the learned counsel on either side and perused the materials placed on record.

7. On a perusal of the record, it is clear that the retirement deed and partnership deed contain signature of the complainant and such deeds were executed on 24.12.2022. If really such deeds were obtained by wrongful confinement and coercion, the complainant would have lodged the complaint immediately after such a threat and wrongful confinement made by the petitioners. It is not his case that from the date of reconstitution of the partnership firm and his retirement, threat persists from the petitioners. Delay in lodging complaint cannot be ignored. Considering the above factor, this Court is inclined to grant anticipatory bail to the petitioners/accused Nos.1 to 8.

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

(i) The petitioners/accused Nos.1 to 8 are enlarged on bail in the event of their arrest in connection with Crime No.33 of 2023 on the file of the Station House Officer, Pocharam IT Corridor Police Station, Rachakonda District, on their executing a personal bond for a sum of Rs.25,000/- (Rupees Twenty Five 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 8 shall appear before the Station House Officer, Pocharam IT Corridor Police Station, Rachakonda District on every Sunday between 10.00 am and 05.00 pm, for a period of two months.

(iii) The petitioners/accused Nos.1 to 8 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.

11.07.2023  
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**JUSTICE M.LAXMAN**

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