

THE HON'BLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No. 7360 of 2023

ORDER:

This Criminal Petition is filed under Section 438 of Cr.P.C. by petitioner/Accused seeking anticipatory bail in the event of his arrest in connection with Crime.No.107 of 2023 on the file of Kazipet Police Station, Warangal District, registered for the offences punishable under Sections 468, 420, 447, 294-B and 506 r/w. 34 of Indian Penal Code (for short 'IPC').

2. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the respondent-State and perused the record.

3. This petition is filed by A-5 seeking protection from arrest. Earlier this petitioner and two others, who are A-3 and A-4 filed CrI.P.No.6561 of 2023 and this Court by order dated 27.07.2023 disposed off the said petition directing the Police to follow the procedure prescribed under Section 41-A Cr.P.C. and the guidelines formulated by the Hon'ble Supreme Court in ***Arnesh Kumar v. State of Bihar***¹. However, learned

¹ (2014) 8 SCC 273

counsel for the petitioner submits that A-3 and A-4 were arrested on 29.07.2023 by adding Section 467 of IPC. *Prima facie*, it appears that the Police to circumvent the orders of this Court added Section 467 of IPC and remanded the accused.

4. The apprehension of this petitioner that he would be arrested is convincing. Hence, the petitioner is granted anticipatory bail subject to the following conditions:

- 1) The petitioner/Accused is directed to surrender before the Station House Officer, Kazipet Police Station, Warangal District on 14.08.2023. Upon such surrender, the said Station House Officer shall release the petitioner/Accused on bail, on his executing personal bond for a sum of Rs.25,000/- (Rupees Twenty five thousand only) with two sureties for a like sum each to his satisfaction.
- 2) On such release, the petitioner/Accused shall appear before the concerned Police every Monday at 10:00 a.m. for a period of four weeks and thereafter, as and when required for the purpose of investigation.
- 3) The petitioner/Accused shall abide by the other conditions stipulated in Section 438(2) of Cr.P.C and shall co-operate with the Investigating Officer in investigating the case.

5. Accordingly, the Criminal Petition is allowed. Miscellaneous applications, if any pending in this criminal petition, shall stand closed.

Date : 11.08.2023
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K.SURENDER, J

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Dt.11.08.2023

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