

THE HON'BLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION Nos.8380, 8384 AND 8736 OF 2023

COMMON ORDER:

These Criminal Petitions are filed under Section 438 of Cr.P.C. by the petitioners-accused Nos.1 to 3 seeking bail in the event of their arrest in connection with Crime No.760 of 2023 pending on the file of Station House Officer, Kukatpally Police Station, Medchal-Malkajgiri District, filed for the offences punishable under Sections 452, 365 386 read with Section 34 of the Indian Penal Code (for short 'IPC').

2. Since Crime No.760 of 2023 is challenged in all the three (3) criminal petitions, they are heard together and disposed off by way of this common order.

3. Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the respondent-State and perused the record.

4. On 29.08.2023, *de facto* complainant filed a complaint stating that accused No.1 has given Rs.30,00,000/- from his Vajra Industries to a person named Murthy of Divya Enterprises through bank transfer. Since there was a delay in getting pump license and as the said Murthy was not available, accused No.1 asked the husband of *de facto*

complainant to refund his money and further summoned him to the rice mill at Suryapet and threatened to pay Rs.30,00,000/- and forcibly took his signatures on white papers. Further, petitioners-accused Nos.2 and 3 went to their house and threatened to kill her husband and also insisted Rs.35,00,000/-. However, the *de facto* complainant sold her property and gave an amount of Rs.25,00,000/- to accused No.1. Again petitioners-accused Nos.2 and 3 went to their house and took them in a car to a rice mill at Suryapet; told them to stay there in the rice mill; finally took them in a car and left them on the road. However, they finally reached Hyderabad and paid an amount of Rs.5,00,000/- to accused No.1. Even though there are no financial dealings with accused No.1, they have forcibly threatened them and taken the amounts.

5. On instructions, learned Additional Public Prosecutor would submit that *de facto* complainant's husband and the said Murthy were doing business of providing petrol bunks and other issues with the concerned departments. However, in the present case, amount was taken but permission was not provided. Even assuming that the amount was not returned, it was Murthy who has to pay the amount and the husband of *de facto* complainant has nothing to do with the

said transactions. He further submits that there are about (50) cases pending against the petitioners of same kind.

6. On the other hand, learned Senior Counsel appearing for the petitioners would submit that there is no date or timing that has been given in the complaint. Apparently, as the petitioner-accused No.1 has walked out from the ruling party and entered into another rival political party, petitioner-accused No.1 and petitioner-accused Nos.2 and 3 who are son and supporter of accused No.1 is being targeted by filing complaints.

7. Keeping in view that the money transactions are admitted, this Court deems it appropriate to direct the police to initially investigate into the factum of outstanding amount by the said Murthy and *de facto* complainant's husband, without arresting the petitioners for a period of four (4) weeks. Further, the petitioners-accused Nos.1 to 3 are directed to appear before the concerned Police on 25.09.2023; execute a bond for Rs.1,00,000/- each and shall co-operate with the police for the purpose of investigation, by providing necessary documents to prove their defence. In the event of failure of the petitioners to appear before the concerned Police on 25.09.2023, the present order stands cancelled.

8. Accordingly, all the three (3) Criminal Petitions are disposed off.

Miscellaneous applications, if any pending in this criminal petition, shall stand closed.

Date : 19.09.2023
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K.SURENDER, J