

THE HON'BLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No.10257 of 2023

ORDER:

1. This Criminal Petition is filed under Section 438 of Cr.P.C. by the petitioners/Accused seeking bail in the event of their arrest in connection with Crime.No.05 of 2023 on the file of Allapur Police Station, Cyberabad, registered for the offences under Sections 452, 386, 506 and 509 r/w. 34 of IPC.
2. Heard learned counsel for the petitioners and learned Assistant Public Prosecutor for the respondent-State and perused the record.
3. The case of the prosecution is that A-1 and the *de-facto* complainant were having financial disputes. There were business transactions with regard to property in Narsingi. Thereafter, A-1 lodged a complaint against the *de-facto* complainant and others which was numbered as Crime No.408 of 2023 pending investigation. According to the *de-facto* complainant on 12.06.2023 A-1, A-2 and others have trespassed into the house and vandalized the house and forcibly taken away phones and laptops. Accordingly, on the basis of the said complaint, the Police have registered a case and A-1 was arrested and remanded to custody on 15.06.2023. In the remand report of A-1,

petitioners were not shown as accused. However on 13.10.2023, A-5 was arrested. In the said remand report, these petitioners are shown as A-4, A-5, A-6 and A-7.

4. Learned counsel for the petitioners would submit that the petitioners were falsely implicated. As seen from the remand report of A-1, the names of any persons were not mentioned in the remand report. However, the names of the petitioners were subsequently added.

5. However, keeping in view that there are differences between A-1 and *de-facto* complainant, further the names of the petitioners were not reflected in the remand report of A-1 and the implication of these petitioners is on the basis of confession, the relief of anticipatory bail can be considered, subject to following conditions:-

- 1) The petitioners/Accused are directed to surrender before the Station House Officer, Allapur Police Station, Cyberabad, on or before 30.10.2023. On such surrender, the said Station House Officer shall release the petitioners on bail, on their executing personal bond for a sum of Rs.50,000/- (Rupees Fifty thousand only) with two sureties for a like sum each to his satisfaction.
- 2) On such release, petitioners/Accused shall appear before the concerned Station House Officer at 10.00

A.M on every Monday for a period of eight weeks, for the purpose of investigation and thereafter, as and when required.

- 3) The petitioners/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.

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

K.SURENDER, J

Date : 20.10.2023
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Dt.20.10.2023

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