

THE HONOURABLE DR.JUSTICE G. RADHA RANI

CRIMINAL PETITION No.2586 of 2024

ORDER:

This Criminal Petition is filed by the petitioner – A1 under Section 438 of Code of Criminal Procedure for grant of anticipatory bail in the event of his arrest in Crime No.169 of 2024 on the file of PS Medipally, registered for the offences under Sections 365, 342, 324, 509, 392, read with Section 34 of IPC for which later Section 395 of IPC and Sections 3(1)(r)(s) and 3(2)(v) of SC / ST (Prevention of Atrocities) Act, 2015 were also included.

2. The case of the prosecution in brief was that on 13.02.2024 at 00:35 hours, one Kum.Rishitha and 6 others lodged a report stating that while they were talking behind Mahindra Show Room venture, a recovery team of ‘Long Drive Cars’ came there and took them to the Long Drive Cars shed and there the accused persons i.e. the Long Drive Car bouncers, recovery team and management beat them black and blue. They also took Rishitha on car and made her to call Madhumitha and Sai Tarun and brought them also to the said place, snatched their phone and beat them by abusing in filthy language and insulted them. They beat Yogi and Tarun with pipes, removed their clothes and sexually abused them.

3. Basing on the said report, the above crime was registered and later A2 to A5 were arrested on 17.02.2024, A8, A9, A14 and A15 were arrested on 19.02.2024, A16 was arrested on 22.02.2024 and A18 was arrested on 27.02.2024, A7 was arrested on 28.02.2024 and a juvenile was arrested on 28.02.2024.

4. Heard the learned counsel for the petitioner – A1 and the learned counsel for the respondent No.1 – State.

5. Learned counsel for the petitioner submitted that the petitioner was the owner of Long Drive Cars / Self Car Rent. On the alleged date of incident, he was not in Hyderabad and was in Bengaluru for his business purpose. The de-facto complainants who lodged the present complaint initially worked in their company. Later, they started giving leads to the competitors of the petitioner's company like 'Go Cars', etc. and it was noticed that the company business leads were transferred to 'Go Cars' and other companies by the de-facto complainants. As such, the management of the petitioner's company had rusticated the de-facto complainants from the services of their company. Subsequently, some of the complainants had joined 'Go Cars' and started using the leads of the petitioner's company for their upcoming businesses. The complainants had cooked up some false allegations against the petitioner – A1 that on his instructions the alleged incident took place. The petitioner had filed quash petition before this Court vide Criminal Petition

No.2223 of 2024 and this Court had directed to serve notice on the de-facto complainant and posted the matter to 15.03.2024. Only due to the business rivalry, false allegations were made against the petitioner – A1 and prayed to enlarge the petitioner – A1 on anticipatory bail.

6. Learned counsel representing the respondents 2 to 4 produced the complainants before the Court and stated that the de-facto complainants had no objection in granting anticipatory bail to the petitioner and further stated that they also filed their affidavits reporting no objection for grant of anticipatory bail to the petitioner herein.

7. Considering the submissions of the learned counsel for the respondents 2 to 4 and as the complainants who were present before the Court voluntarily reported that they were having no objection in granting anticipatory bail to the petitioner – A1, it is considered fit to grant anticipatory bail on certain conditions.

8. In the result, the Criminal Petition is allowed and the petitioner – A1 is granted anticipatory bail subject to the following conditions:

(i) The petitioner – A1 is directed to surrender before the Station House Officer of PS Medipally, Rachakonda within a period of (15) days from the date of this Order, and on such surrender, the SHO of PS Medipally, Rachakonda shall release the petitioner –

A1 on bail on his executing a personal bond for Rs.50,000/- (Rupees Fifty Thousand Only) with two sureties for the like sum each to the satisfaction of the said Station House Officer.

(ii) The petitioner – A1 shall comply with all the conditions stipulated under Section 438(2) of Cr.P.C.

As a sequel, miscellaneous applications pending in this petition, if any shall stand closed.

Dr. G. RADHA RANI, J

Date: 07th March, 2024
Nsk.