

THE HONOURABLE DR.JUSTICE G.RADHA RANI

CRIMINAL PETITION No.3667 OF 2024

ORDER:

This Criminal Petition is filed under Section 438 of the Code of Criminal Procedure, 1973 (for short “Cr.P.C.”) seeking anticipatory bail to the petitioners-Accused Nos.14 and 15 in Crime No.68 of 2024 of Shankarpally Police Station, Cyberabad, registered for the offences under Sections 420, 468, 471 and 419 of IPC, for which subsequently, Sections 467 and 120-B of IPC were also added.

2. Heard the learned Counsel for the petitioners and the learned Additional Public Prosecutor for the respondent-State.

3. Learned counsel for the petitioners submitted that an anticipatory bail application filed earlier for these petitioners was dismissed by this Court vide order dated 22.03.2024 in CrI.P.No.3189 of 2024. As per the Remand Case Dairy, the prosecution alleged that the petitioners had followed the *de-facto* complainant to his farm land in order to threaten him and to throw him out of the farm land without mentioning the date, place and time on which date the alleged incident had taken place. The petitioners were no way considered with the said crime, it was purely a civil

dispute between the accused No.6 and others with *de-facto* complainant and prayed for grant of anticipatory bail to the petitioners.

4. Learned Additional Public Prosecutor opposed grant of anticipatory bail to the petitioners stating that this Court by observing that the petitioners had followed the *de-facto* complainant in his complaint, dismissing his earlier application on 22.03.2024. Hence, the petitioners were not entitled for grant of anticipatory bail.

5. Perused the record. Considering that the allegations made against the petitioners in the complaint by the *de-facto* complainant that the petitioners had followed him in Kakinda as well as in his farm land and were trying to throw him from his property by using their might, would attract only the offence under Section 506 of IPC and even if it is considered that the threat was to cause death or grievous hurt, the same was punishable with imprisonment upto seven years only and the petitioners were not connected with the other offences under Sections 420, 467, 468, 471, 419 and 120-B of IPC, it is considered fit to enlarge the petitioners on anticipatory bail on certain conditions.

6. Accordingly, the Criminal Petition is allowed and the petitioners-accused Nos.14 & 15 shall be released on anticipatory bail

subject to the following conditions:

- 1) The petitioners-Accused Nos.14 & 15 are directed to surrender themselves before the Station House Officer, Shankarpally Police Station, Cyberabad, within a period of 15 days from the date of this order. On such surrender, the said Station House Officer shall release the petitioners on bail, on their executing a personal bond for a sum of Rs.50,000/- (Rupees Fifty Thousand only) each with two sureties each for a like sum each to the satisfaction of the said Station House Officer.
- 2) The petitioners-Accused Nos.14 & 15 shall abide by the conditions stipulated under Section 438(2) of Cr.P.C.

Miscellaneous applications, pending if any, shall stand closed.

April 04, 2024

ss

Dr. G.RADHA RANI, J