

**HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH
WEDNESDAY, THE TWENTY EIGHTH DAY OF FEBRUARY
TWO THOUSAND AND EIGHTEEN**

:PRESENT:

THE HON'BLE SMT. JUSTICE T. RAJANI

CRIMINAL PETITION NO: 2179 OF 2018

Between:

Kothapalli Harikrishna S/o Kumaraswamy

Petitioner/Accused

AND

State of Telangana, rep. by its Public Prosecutor, High Court of Judicature at Hyderabad, for the
State of Telangana and the State of Andhra Pradesh.

Respondent

Petition under Section 438 of Cr.P.C., praying that in the circumstances stated in the
petition and the grounds filed herein, the High Court may be pleased to enlarge the
petitioner/accused No. 5 on anticipatory bail in the event of his arrest in Crime No. 27 of 2017
(PS Saroornagar, Cyberabad).

Counsel for the Petitioner : SRI V.ROOPESH KUMAR REDDY

Counsel for the Respondent : PUBLIC PROSECUTOR, (TS)

The Court made the following:

SMT. JUSTICE T.RAJANI

CRIMINAL PETITION No. 2179 OF 2018

ORDER:

This petition is filed, under Section 438 of the Code of Criminal Procedure, 1973 (for short, 'Cr.P.C.'), seeking for grant of anticipatory bail to the petitioner in crime No. 27 of 2017 of Saroornagar Police Station, Rachakonda.

2. Heard learned counsel for the petitioner and learned Public Prosecutor (T.S.).

3. Learned counsel for the petitioner submits that accused No. 1 in this crime was working in the institution of the *de facto* complainant, as accountant and cashier and he misappropriated certain funds and that initially, this petitioner was not shown as accused and it is only based on the confession of accused No. 1, the name of this petitioner came to light. A perusal of the confession of accused No. 1 shows that it does not in any manner relate to this crime. Learned counsel for the petitioner submits that this petitioner, in fact, filed W.P.No. 31032 of 2017 against several police officials, for production of some of the accused in this crime and that keeping in view the same, the petitioner is arrayed as accused.

4. For the reasons already mentioned above, this Court opines that the complicity of the petitioner in this particular crime is not evident. Hence, considering the above, this Court feels that it is a fit case for grant of anticipatory bail. The petitioner is directed to surrender before the Station House Officer, Saroornagar Police Station, Rachakonda, within 15

days from the date of this order and on such surrender, the petitioner shall be released on bail on his executing a personal bond for a sum of Rs.20,000/- (Rupees twenty thousand only) with two sureties for a like sum each to the satisfaction of the said Station House Officer. Further, on such release, the petitioner shall abide by the conditions mentioned under Section 438(2) Cr.P.C. as under:

- (i) The petitioner shall make himself available for interrogation by a police officer as and when required.
- (ii) The petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;
- (iii) The petitioner shall not leave India without the previous permission of the Court.

5. The criminal petition is accordingly allowed. Pending miscellaneous petitions if any shall stand closed in consequence.

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SD/- K. TATA RAO
ASSISTANT REGISTRAR

For ASSISTANT REGISTRAR

To

1. The XIV Addl. District and Sessions Judge, Ranga Reddy District, L.B. Nagar, Hyderabad.
2. The XI Metropolitan Magistrate, L.B. Nagar, Rachakonda.
3. The Station House Officer, Saroornagar Police Station, Cyberabad.
4. Two CCs to Public Prosecutor, (TS) High Court of Judicature, at Hyderabad (OUT)
5. one CC to Sri V.Roopesh Kumar Reddy, Advocate (OPUC)
6. one Spare Copy

HIGH COURT

TRJ

DATE:28-2-2018

ORDER

CRL.P. NO. 2179 OF 2018

DIRECTION



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