

**HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

**THURSDAY, THE TWENTY SEVENTH DAY OF MAY
TWO THOUSAND AND TWENTY ONE**

PRESENT

THE HONOURABLE SRI JUSTICE K.LAKSHMAN

CRIMINAL PETITION NO: 3946 OF 2021

Between:

A.Srikanth Reddy, Son of A.Sudhakar Reddy, Aged about 37 years, Occ. Private Employee, Resident of H.No.2-2-127/46, Vijayapuri Colony, Uppal, Ranga Reddy District, T.S.

...PETITIONERS/ACCUSED

AND

The State of Telangana, Represented by its Public Prosecutor, High Court at Hyderabad, Through SHO, Uppal Police Station, Rachakonda, Ranga Reddy District

...RESPONDENT/COMPLAINANT

Petition under Section 438 of Cr.P.C.praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to grant anticipatory bail to the petitioner/accused No.1 in Crime No.60 of 2021 Uppal Police Station, Cyberabad, Ranga Reddy District, in the event of his arrest.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri P. Ravi Shankar, Advocate for the Petitioner and the Public Prosecutor (TG) on behalf of the Respondent.

The Court made the following: ORDER

THE HONOURABLE SRI JUSTICE K.LAKSHMAN

CRIMINAL PETITION No.3946 OF 2021

ORDER:

This is an application for anticipatory bail. The petitioner is accused No.1 in Crime No.60 of 2021 pending on the file of Uppal Police Station, Cyberabad, Ranga Reddy District. The offence alleged against the petitioner is under Section 420 IPC.

2. Heard Mr.P. Ravi Shanker, learned counsel for the petitioner and the learned Public Prosecutor for the respondent. Perused the record.

3. The allegation against the petitioner is that he has obtained mortgage loan and he along with other accused created fake documents.

4. Learned counsel for the petitioner by referring the memorandum of deposit of title deeds bearing document No.6426 of 2018 dated 04.04.2018 and also No Objection Certificate dated 05.03.2021 issued by the IKF Home Finance Limited, would submit that the petitioner has already cleared the loan amount of Rs.15,50,000/-.

5. Learned Public Prosecutor, on instructions, would submit that the punishment for the offence alleged against the petitioner is imprisonment of seven years and below seven years and the

Investigating Officer has already invoked the procedure laid down under Section 41-A Cr.P.C., by issuing notice on 24.03.2021.

6. Learned counsel for the petitioner would submit that the petitioner did not submit his explanation to the said notice under the apprehension of arrest.

7. In view of the said submissions, this Criminal Petition is disposed of directing the Investigating Officer in Crime No.60 of 2021 pending on the file of Uppal Police Station, Cyberabad, Ranga Reddy District to strictly follow the procedure laid down under Section 41-A Cr.P.C., and also the guidelines issued by the Hon'ble Apex Court in **Arnesh Kumar v. State of Bihar and another¹**. Liberty is granted to the petitioner to submit his reply to the notice dated 24.03.2021 issued under Section 41-A Cr.P.C., and the Investigating Officer shall consider the same.

Miscellaneous petitions, if any pending, shall stand closed.

(2014) 8 SCC 273

//TRUE COPY//

SD/-T.TIRUMALA DEVI
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The III Additional District and Sessions Judge -cum- III Additional Metropolitan Sessions Judge, Cyberabad at L.B. Nagar, Ranga Reddy District.
2. The III Metropolitan Magistrate, Cyberabad at L.B. Nagar, Ranga Reddy District.
3. The Station House Officer, Uppal Police Station, Rachakonda, Ranga Reddy District.
4. One CC to Sri. P. Ravi Shanker, Advocate [OPUC]
5. Two CCs to Public Prosecutor, High Court for the State of Telangana at Hyderabad. [OUT]
6. Two CD Copies

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HIGH COURT

DATED: 27/05/2021

ORDER

CRLP.No.3946 of 2021



DISPOSING OF THE CRIMINAL PETITION.

PRR
02/06

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