

THE HON'BLE SRI JUSTICE RAJA ELANGO

CRIMINAL PETITION No.5523 OF 2015

ORDER:

This criminal petition under Section 438 of the Code of Criminal Procedure is filed by the petitioner/A.1 seeking grant of anticipatory bail in connection with crime No.108 of 2015 on the file of the P.S., Mangalagiri Town, Guntur District, registered for the offences under Sections 417, 420 and 423 IPC.

Heard and perused the material.

The allegation against the petitioner/A.1 herein is that A.1 has received a token advance of Rs.1,00,000/- (Rupees one lakh only) from A.2 for selling the land stating that he is the owner of the subject land, though the owner of the land is the *de facto* complainant. The *de facto* complainant has given a complaint against A.1 and A.2 basing on the information provided by A.2. Hence, a case is registered against A.1 and A.2.

A reading of the complaint and also the records clearly reveals that there is no record to show that the petitioner/A.1 has received the amount from A.2 and further, the complaint does not disclose the real transaction between the petitioner/A.1 herein and the A.2.

Having regard to the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner/A.1.

In the circumstances, the petitioner/A.1 is directed to surrender before the Magistrate concerned within a period of fifteen days from today and on such surrender, he shall be enlarged on bail on the same day on his executing a personal bond for a sum of Rs.20,000/- (Rupees twenty thousand only) with two sureties each for a like sum each to the satisfaction of the said Magistrate. Further, the petitioner/A.1 is directed to report before the Station House Officer as and when required.

The Criminal Petition is accordingly allowed.

JUSTICE RAJA ELANGO

26.06.2015

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