

HON'BLE SRI JUSTICE M. SATYANARAYANA MURTHY

CRIMINAL PETITION No.377 of 2017

ORDER :

This criminal petition is filed under Sections 438 of the Code of Criminal Procedure, 1973 (for short, 'the Cr.P.C.') by the petitioners/A.2 to grant pre-arrest bail in Crime No.852 of 2016 of Hayathnagar Police Station, Cyberabad, registered for the offences punishable under Sections 419 and 420 IPC.

2. The role played by the petitioner/A.2 is not mentioned in the complaint lodged by the de facto complainant-Burra Patanjali, who is a retired employee in State Bank of Hyderabad. But, he made an allegation against Mir Khairat Ali, Mir Razza Ali, Mir Mumtaj Ali, Mir Loyaq Ali, Mir Kazam Ali, Mir Kayam Ali and Mir Taqi Ali and during investigation, the investigating agency found that the petitioner-Gona Priyankar through Praveen Reddy Krishna and Gunti Suresh, who were doing real estate business, were introduced the other persons to the purchasers informing that he purchased the plot at cheaper rate and he paid Rs.1,00,000/- to Krishna for creating forged document including fake Aadhar card of original owner bearing No.3898 5916 8384, later all the five of them came to Md. Shareef-A.5, who is a document writer, who demanded an amount of Rs.5,000/- for registration, for which an amount of Rs.1,500/- was given and assured to pay balance after completion of the transaction and accordingly executed the document for the plot belonging to the de facto complainant referred supra and thus the petitioner played a specific role in the said transaction i.e., execution

of a sale deed, conveying the plot belonging to the de facto complainant and agreed to pay Rs.2,00,000/- to Krishna by creating forged documents including Aadhar Card of the original owner—B.Patanjali and also paid Rs.1,500/- to the document writer-A.5 for getting the document registered by impersonation by promising to pay Rs.1,00,000/- after completion of the transaction. Thus, the role played by the petitioner is clear though it is based on confessional statement of a co-accused and the investigation is not yet completed as per the learned Public Prosecutor for the State of Telangana. Therefore, the case is totally based on documents and contract between one person to the other and incase the petitioner is granted pre-arrest bail, there is every likelihood of interfering with the further investigation including tampering of evidence and I find prima facie material against the petitioner and there are no grounds to grant pre-arrest bail to the petitioner.

3. Accordingly, the criminal petition is dismissed.

M. SATYANARAYANA MURTHY, J

27th January 2017.

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