

**HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH
TUESDAY, THE TWENTY FIRST DAY OF NOVEMBER, TWO THOUSAND AND
SEVENTEEN
: PRESENT :
THE HONOURABLE DR JUSTICE SHAMEEM AKTHER
CRLP .No. 11083 of 2017**

Between:-

- 1.Amara Jagannadha Rao, S/o. Narasimha Murthy
- 2.Srinivasarao Chatla, S/o. Venkateswararao
- 3.Suribabu Manepalli, S/o. Appalanarasayya.

..... Petitioners/Accused Nos.1 to 3

AND

The State of Andhra Pradesh, Rep. by Station House Officer,
Yeleswaram Police Station, East Godavari District, through
Public Prosecutor, High Court at Hyderabad.

...Respondent/Complainant.

Petition filed under Section 438 of Cr.P.C. praying that in the circumstances stated in the petition and grounds thereof, the High Court may be pleased to enlarge the petitioner on bail in the event of their arrest in connection with Cr.No. 47 of 2017 of P.S. Eleswaram, East Godavari District.

The petition coming on for hearing, upon perusing the memorandum of grounds filed in support thereof and upon hearing the arguments of Sri V.V. Satish, Advocate for the Petitioners and the Addl. Public Prosecutor(AP) for the Respondent-State, the Court made the following

ORDER :-

“Heard learned counsel for the petitioners/A.1 to A.3, learned Additional Public Prosecutor for the respondent State and perused the record.

This petition is filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioners/A.1 to A.3 in Crime No.47 of 2017 of Eleswaram Police Station, East Godavari District, for the offences punishable under Sections 420, 448, 453, 454 and 506(ii) read with Section 34 IPC.

Learned counsel for the petitioners would submit that the de facto complainant executed a registered general power of attorney-cum-sale agreement in favour of the petitioner/A.1 on 30.12.2013. The petitioners/A.2 and A.3 are the attestors of the said document. Having received the entire sale consideration, the de facto complainant executed aforementioned document and also delivered the possession in favour of the petitioner/A.1. Since then, the petitioner/A.1 is in possession and enjoyment of the said property situated at Yerravaram Village, Eleswaram Mandal, East Godavari District. The de facto complainant filed O.S.No.34 of 2017 in the Court of IV Additional District Judge, Kakinada, in respect of the above property, against the petitioner/A.1. As per the submissions made by both sides, the genuineness, validity and binding nature of the registered agreement of sale-cum-general power of attorney is required to be decided in a trial. Moreover, it is alleged that the offence took place in 2014 and a private complaint was filed before the Magistrate concerned in 2016.

Having regard to the nature of allegations and the character of dispute between the parties, the petitioners are entitled for bail under Section 438 Cr.P.C.

Contd.2..

In the result, the Criminal Petition is allowed, directing the petitioners/A.1 to A.3 to surrender before the Station House Officer, Eleswaram Police Station, East Godavari District, within 15 days from the date of this order. On such surrender, the said Station House Officer shall enlarge the petitioners/A.1 to A.3 on bail on each of them executing a personal bond of Rs. 10,000/- (Rupees ten thousand only) with two sureties for a like sum each to his satisfaction. The petitioners/A.1 to A.3 shall abide by the conditions mentioned in Section 438(2) Cr.P.C. and cooperate with the investigation. Further, they shall attend before the said Station House Officer on every Sunday between 9.00 am and 10.00 a.m. till filing charge sheet. ”

Sd/- B. SATYAVATHI,
ASSISTANT REGISTRAR

//TRUE COPY//

for ASSISTANT REGISTRAR

To

- 1.The Judicial First Class Magistrate, Prathipadu, East Godavari District.
- 2.The Station House Officer, Eleswaram Police Station, East Godavari District.
- 3.Two CCs to Public Prosecutor(AP), High Court of Judicature at Hyderabad.
(OUT)
- 4.One CC to Sri V.V. Satish Advocate(OPUC)
- 5.One spare copy.

TKK

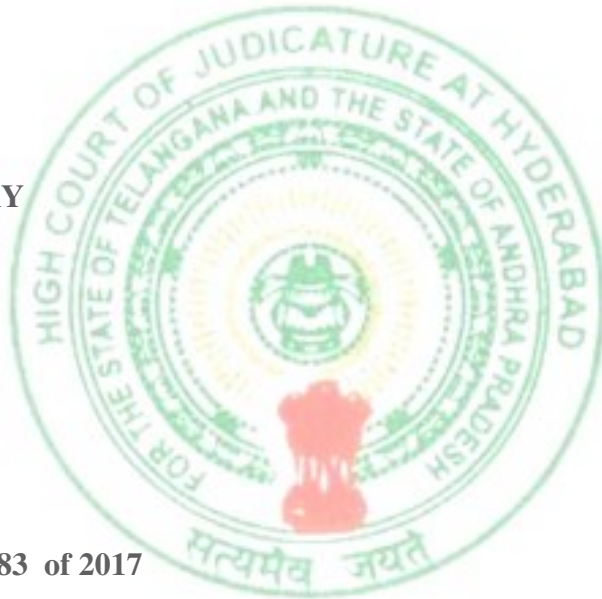


HIGH COURT

DR.SA.J

DT.21-11-2017.

**ANTICIPATORY
BAIL ORDER**



CRL.P.No. 11083 of 2017

**RELEASE THE PETITIONERS
ON BAIL IN THE EVENT OF
THEIR ARREST.**

**DRAFTED BY TKK
DT.23-11-2017.**

HIGH COURT

DR.SA.J

DT.21-11-2017.



**ANTICIPATORY
BAIL ORDER**

CRL.P.No. 11083 of 2017

**RELEASE THE PETITIOENRS
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