

THE HON'BLE DR. JUSTICE SHAMEEM AKTHER

CRIMINAL PETITION No.12510 OF 2017

ORDER:

This petition is filed under Section 438 Cr.P.C. to grant anticipatory bail to the petitioner-A3 for the offences alleged under Sections 419, 420, 468 and 471 r/w 34 IPC.

2. Heard learned counsel for the petitioner-A3, learned Additional Public Prosecutor representing the State and perused the record.

3. Learned counsel for the petitioner-A3 would submit that the petitioner-A3 is a document writer. He has no acquaintance with the parties to the document. In routine course, he prepared subject document and got it registered and ultimately, prayed to allow the application.

4. On the other hand, learned Additional Public Prosecutor opposed the grant of bail to the petitioner-A3.

5. The material on record reveals that the petitioner-A3, A1, A2 and A5 to A14 are real estate agents. The petitioner-A3 and A1 came to know that there is a open land admeasuring 1000 square yards (two plots each 500 square yards) situated in Survey No.129/92 (old) 403/25-2 New, Shaikpet, Road No.12, Banjara Hills. It was lying vacant for many years and they enquired that deceased-C.H.Radhakrishna is the owner of that plot. In order to knock away the property and make illegal gain, the petitioner-A3 along with A1 prepared link document and also got it registered in respect of above property vide document No.2883/17, dated 18.05.2017. A2 personated the deceased. When the wife of the deceased wanted to sell the plot to others, she came to know that the plot was

already registered by impersonating her husband. On a report given by her to the police, this case is registered and it is under investigation.

6. There are specific allegations of identifying the subject plots and preparing link document and also registering the subject vide document No.2883 of 2017, dated 18.05.2017 in the Sub-Registrar's office concerned. It cannot be said that the petitioner-A3 has no knowledge about the title of the vendor and he does not know that A2 personated the deceased. It cannot be said that the petitioner-A3 is an innocent person and falsely implicated in this case. The matter requires thorough investigation. Therefore, it is not a fit case to grant bail to the petitioner-A3 under Section 438 Cr.P.C.

7. Accordingly, the Criminal Petition is dismissed..

DR.SHAMEEM AKTHER, J

DATED: 22-12-2017

Hsd