

**HIGH COURT OF JUDICATURE AT HYDERABAD  
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH**

TUESDAY, THE TWENTIETH DAY OF NOVEMBER  
TWO THOUSAND AND EIGHTEEN

:PRESENT:  
THE HON'BLE DR. JUSTICE SHAMEEM AKTHER

CRIMINAL PETITION NO: 12041 OF 2018

**Between:**

1. Basupally Dayakar Reddy, S/o.B.Chilka Reddy
2. Dyapa Raji Reddy, S/o.Pedda Reddy
3. Bathula Konda Reddy, S/o.Gopal Reddy

....Petitioners/Accused No.1 to 3

**AND**

The State of Telangana, Through S.H.O, P.S, Meerpet, Rachakonda, Rep. by its Public  
Prosecutor, High court at Hyderabad, Hyderabad.

....Respondent/Complainant

Petition under Section 438 of Cr.P.C, praying that in the circumstances stated in the affidavit filed in support of the Criminal Petition, the High Court may be pleased to enlarge the Petitioners/Accused No.1 to 3 on bail in the event of their arrest in connection with Crime No.720/2018 pending on the file of P.S, Meerpet, Rachakonda

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of MR.C.HARI PREETH Advocate for the Petitioners and of the PUBLIC PROSECUTOR (TG) for the Respondent, the Court made the following.

**ORDER**

This Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973, is filed by the petitioners/A.1 to A.3, for grant of anticipatory bail in Crime No.720 of 2018 of Meerpet Police Station, Rachakonda Commissionerate, registered for the offences punishable under Sections 420, 426, 427, 447, 511 & 120B of I.P.C.

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

3. In the course of submissions, it is brought to the notice of this Court that the petitioners/A.1 to A.3 purchased 422 square yards of land under a registered sale deed from A.4 to A.6 in this crime, obtained permission

for construction of a house and started constructing a house thereon. When the de-facto complainants interfered with their possession, they filed I.A.No.750 of 2018 in O.S.No.468 of 2018 and obtained interim injunction order against the de-facto complainants. After passing of the said interim Injunction order by the civil Court, the de-facto complainants, who are defendants in the said suit, filed a private complainant under Section 200 of Cr.P.C. before the Magistrate concerned. On reference of the said complaint to the police by the Magistrate concerned under Section 156(3) of Cr.P.C., the instant crime has been registered and is under investigation. The petitioners/A.1 to A.3 are claiming the property under a registered sale deed and they also have an interim injunction order passed by a competent civil Court in their favour. It appears that the dispute between the parties to the litigation is civil in nature. Therefore, this Court is inclined to grant bail to the petitioners/A.1 to A.3 under Section 438 of Cr.P.C., on some conditions.

4. Accordingly, the petitioners/A.1 to A.3 are directed to surrender before the Station House Officer, Meerpet Police Station, Rachakonda Commissionerate, within a period of 15 days from the date of this order. On such surrender, the said Station House Officer shall release the petitioners/A.1 to A.3 on bail on each of them executing a personal bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties in a like sum each to his satisfaction. On such release, the petitioners/A.1 to A.3 shall report before the said Station House Officer on every Sunday between 09:00 AM and 10:00 AM, till filing of the charge-sheet. The petitioners/A.1 to A.3 shall also abide by the conditions stipulated Section 438 (2) of the Code of Criminal Procedure, 1973, and shall cooperate with the investigating officer in the investigation of the case.

5. The Criminal Petition is, accordingly, allowed.

Miscellaneous petitions, if any, pending in this Criminal Petition, shall stand closed.

Sd/- CH. VENKATESHWAR  
ASSISTANT REGISTRAR

//TRUE COPY//

For ASSISTANT REGISTRAR

To

1. The V Additional District & Sessions Judge, Ranga Reddy District at L.B.Nagar, Hyderabad.
2. The II Metropolitan Magistrate, Rachakonda at L.B.Nagar, Hyderabad
3. The Station House Officer, Meerpet Police Station, Rachakonda
4. One CC to SRI. C HARI PREETH Advocate [OPUC]
5. Two CCs PUBLIC PROSECUTOR (TG) High Court of Judicature at Hyderabad (OUT)
6. One spare copy

HIGH COURT

DR.SA.J

DATED: 20.11.2018

CRL.P.NO.12041 OF 2018

ANTICIPATORY BAIL

