

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

*[Special Original Jurisdiction]*

FRIDAY THE NINETEENTH DAY OF JANUARY  
TWO THOUSAND AND EIGHTEEN

PRESENT

**SMT. JUSTICE T. RAJANI**

CRIMINAL PETITION NO. 12816 OF 2017

Between:

Darga Kameshwar

... Petitioner/A-2  
[Accused No.2 in Cr.No.798/17  
of Malkajgiri Police Station]  
Cyberabad.

V/s.

The State of Telangana  
Represented by the Public Prosecutor  
High Court of Judicature for the State of  
Telangana & Andhra Pradesh,  
Through Station House Officer,  
Malkajgiri Police Station,  
Cyberabad.

... Respondent/complainant

Counsel for the Petitioner :

Sri Chekuri Yadagiri

Counsel for the Respondent :

Public Prosecutor [ TG ]

The court made the following:

[order follows]

**SMT. JUSTICE T. RAJANI****CRIMINAL PETITION NO. 12816 OF 2017****ORDER :**

This Criminal Petition is filed by the petitioner/A-2 under section 438 of Cr.P.C., seeking for the grant of anticipatory bail in Crime No. 798 of 2017 of Malkajgiri Police Station, Cyberabad, registered for the offences punishable under section 420, 464, 467, 468, 471, 474, 120-B read with section 34 of I.P.C.

2. Heard the counsel for the petitioner/A-2 and the Additional Public Prosecutor representing the respondent/State.

3. The counsel for the petitioner/A-2 submits that the petitioner herein is only 'purchaser' of the plot, which was sold by A-1 to him, after impersonating the original owner of the plot.

4. The learned Additional Public Prosecutor on the other hand submits that he was also sailing with A-1, knowingly purchased the plot and in that process he obtained loan from the bank.

5. A perusal of the complaint shows that *prima-facie* the guilt of A-2 is evident, as the petitioner along with other accused colluded with each other, created forged and fabricated sale deed dated 19/1/2017 in his name by impersonating the defacto-complainant, managed the bank officials and obtained loan. The submission of the petitioner's counsel that the other accused were granted bail merits no consideration.

6. Hence, in the above circumstances, this Court finds that the petitioner, who is A-2 in the above crime, is not entitled for grant of anticipatory bail. The petitioner/A-2 shall surrender before the concerned court and seek regular bail. The Station House Officer, Malkajgiri Police Station, Cyberabad, is directed to follow Section 41-A Cr.P.C. before arresting the petitioner/A-2.

7. In the result, this Criminal Petition is dismissed.

8. As a sequel, miscellaneous petitions if any, pending in this Criminal Petition shall stand closed.

**JUSTICE T. RAJANI.**

**SMT. JUSTICE T. RAJANI**



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