

HON'BLE JUSTICE G. SRI DEVI

CRIMINAL PETITION No.3813 of 2019

ORDER:

The petitioner, who is accused No.1 in Crime No.253 of 2019 on the file of Chanda Nagar Police Station, registered for the offences punishable under Sections 406, 420, 447 and 506 r/w 34 of IPC, has filed this petition under Section 438 Cr.P.C. seeking anticipatory bail.

The case of the prosecution in nutshell is that the complainant intended to buy a plot in Sy.No.322 to 328 admeasuring 120 sq. yards from the accused. The accused said that the worth of the plot is Rs.26,50,000/- and the complainant agreed to buy the said plot for the same. Later the complainant gave the sale consideration amount to the accused. On 25.9.2018 she came to know that the accused sold the same plot to others and cheated her without refunding her amounts.

Heard learned counsel for the petitioner/A.1 and the learned Additional Public Prosecutor appearing for the respondent State. Perused the material on record.

Learned counsel for the petitioner/A.1 contends that the defacto complainant is trying to give to a civil dispute a colour of criminal offence, which is not permissible under law. It is further contended that the police are visiting the house of the petitioner and threatening his family members that they

will be implicated in a false case. It is also contended that investigation is in progress and that the petitioner is ready to abide by any of the conditions imposed by this Court and would cooperate with the investigation, if he is released on anticipatory bail in the event of his arrest in connection with the aforesaid crime.

On the other hand, the learned Additional Public Prosecutor opposed the bail application and contended that the petitioner is not entitled for grant of anticipatory bail.

A perusal of the record discloses that there are specific allegations levelled against the petitioner/A.1 stating that the petitioner has cheated the complainant by selling 120 square yards of notarized plot in Sy.Nos.322 to 328 belonging to one Nimmala Rakesh Reddy/A.2 after receiving the entire sale consideration of Rs.26,50,000/- from the complainant. Subsequently, the complainant came to know that the said land was occupied by one Brahmaiah/A.3, who informed that A.1 sold the said plot to him. On confronting the same to the petitioner/A.1 and A.2, they did not say anything and promised to return the entire sale consideration to the complainant, but they failed to return the same. Thus, all the accused have cheated the complainant and failed to return the amount.

Therefore, looking into the nature of allegations levelled against the petitioner/A.1 and the gravity of offences, I am not inclined to grant anticipatory bail to the petitioner.

Accordingly, this Criminal Petition is dismissed.

As a sequel, miscellaneous petitions pending, if any,
shall stand closed.

JUSTICE G. SRI DEVI

16.07.2019.
Msr



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Msr