

HON'BLE JUSTICE G. SRI DEVI

CRIMINAL PETITION No.6526 of 2019

ORDER :

This Criminal Petition under Section 438 of Cr.P.C. is filed by the petitioner/accused, seeking anticipatory bail in Crime No.196 of 2018 on the file of the S.H.O., Narayanaguda Police Station, Hyderabad, registered for the offences punishable under Sections 406, 420, 468 and 471 IPC.

2. Heard learned counsel for the petitioner as well as the learned Additional Public Prosecutor appearing for respondent-State.

3. Learned counsel for the petitioner submits that the petitioner is no way connected with the alleged offences. He further submits that it has come to the knowledge of the petitioner that K.Samuel Raj @ Raju impersonated K.M.Ashfaq Ahmed and sold away the property to the petitioner. The original owner of the property has lodged a complaint before police of Malkajgiri alleging that Samuel Raju by fabricating his ID proof created forged and fabricated registered sale deed and thereafter, the said Samuel Raju has impersonated him. He further submits that the de facto complainant is well aware of the fact that the bank officials are involved in this loan transaction and are also cited as accused in Cr.No.798 of 2017 on the file of Malkajgiri P.S. He further submits

that the petitioner has purchased the property through a registered sale deed, dated 19.01.2017 for sale consideration of Rs.35,00,000/- and out of which, he paid Rs.9,00,000/- in cash and paid the remaining amount of Rs.26,00,000/- through bank loan. The petitioner belongs to a respectable family and will abide by the terms and conditions that may be imposed by this Court in order to secure his presence and he is ready to furnish the sufficient sureties and hence, he prays to grant anticipatory bail to the petitioner.

4. On the other hand, the learned Additional Public Prosecutor representing the State vehemently opposed the bail application.

5. As seen from the contents of the FIR and the contentions raised by the learned counsel for the petitioner, the petitioner is admitting that he has availed loan and got fabricated the registered sale deed in his favour knowing fully well that no such property is existing in the name of the owner. There are specific allegations against the petitioner that he has cheated the bank and fraudulently obtained loan for registration of the property.

6. Taking into consideration the nature of allegations made against the petitioner and also keeping in view the facts and circumstances of the case, I am not inclined to grant anticipatory bail to the petitioner.

7. Accordingly, the Criminal Petition is dismissed.

Miscellaneous petitions, if any pending shall stand closed.

JUSTICE G. SRI DEVI

DATED: 25.10.2019.

Hsd



