

**HON'BLE JUSTICE G. SRI DEVI**

**CRIMINAL PETITION No.8049 of 2019**

**ORDER :**

This Criminal Petition under Section 438 of Cr.P.C. is filed by the petitioner/A2, seeking anticipatory bail in Crime No.1009 of 2019 on the file of the S.H.O., L.B. Nagar L & O Police Station, Rachakonda District, registered for the offences punishable under Sections 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. The case of the prosecution is that the de facto complainant is the absolute owner of the plot bearing No.66/12 comprising 311 square yards at Mansoorabad village, having purchased the same under a registered sale deed vide document No.3415/1983 on the file of Sub-Registrar, Hayatnagar. On 09.08.2019, she came to know that the accused committed acts of impersonation by producing another woman and forged and fabricated a sale deed in another person's name. Hence, the complaint.

4. Learned counsel for the petitioner submits that the petitioner has not at all committed any offence and all the allegations leveled against him are created and concocted for the purpose of registering the complaint. He further submits that the de facto complainant has not

produced any single piece of evidence to show that there is impersonation by the petitioner. He further submits that in fact, the petitioner purchased the property from one Shaik Mahboob Ahmed through a registered sale deed and as the petitioner has got good offer for the property, he executed the Registered Agreement of Sale-cum-General Power of Attorney. He further submits that even as per the complaint, the de facto complainant made specific allegation against Shaik Mahaboob that he impersonated her, but she has made the petitioner as accused in this case. He further submits that the petitioner is a respectable person in the locality and is a permanent resident of Hyderabad and hence, there is no chance to tamper with the evidence. He further submits that the petitioner is ready to abide by any conditions imposed by this Court and ready to furnish sureties to the satisfaction of the Court and hence, he prays to grant anticipatory bail to the petitioner.

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

6. As seen from the contents of F.I.R., there is specific averment that the de facto complainant is the absolute owner of the property, which she purchased through registered sale deed from the original owner vide document No.3415/1983, which was registered before the

Sub-Registrar, Hayatnagar and one Varakantham Padma Reddy came to the property in the month of August, 2019 stating that he is the owner of the said property, which he purchased from the present petitioner through registered sale deed. When the de facto complainant enquired and obtained E.C. and certified copy of sale deed, it came to light that the vendor of the present petitioner has impersonated and produced another woman in her place and got registered the property in the year 2016. Thus, the property was purchased by the petitioner from the person, who was not the owner of the property. The said property was again sold by the present petitioner to different persons through General Power of Attorney.

7. Thus, looking into 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.

8. Accordingly, the Criminal Petition is dismissed. However, if the petitioner-A2 surrenders before the concerned Court within 15 days and files bail application after giving due notice to the Public Prosecutor, the same may be considered in accordance with law. Miscellaneous petitions, if any pending, shall stand closed.

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**JUSTICE G. SRI DEVI**

**DATED: 23.12.2019.**

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