

THE HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION No.367 of 2020

ORDER:

This Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973, is filed by petitioner/A2, seeking to grant anticipatory bail to him in Cr.No.668 of 2019 on the file of Medchal Police Station, Cyberabad District, registered for the offences under Sections 420, 468, 471 and 500 IPC.

2. Heard learned counsel for the petitioner/A2, learned Additional Public Prosecutor representing the respondent-State and perused the record.

3. It is alleged in the complaint lodged by the MPDO, Medchal, that on 21.11.2019, she received a representation from Sri Md. Ravuf Ali, the former Panchayat Secretary, stating that his signature was forged by some of the villagers i.e., Talari Chander, Kurakula Shyam and others and created a fake and fabricated house plot certificate of 600 sq. yards, by misusing the letter head and stamps, in the name of Erukala Jayaramulu, for the purpose of grabbing the lands of innocents and damaging the reputation of individual official capacity.

4. Learned counsel for the petitioner/A2 submits that the petitioner has not committed any offence as alleged by the prosecution and he never claimed the alleged premises and he has nothing to do with the creation of house site certificate. He further submits that when some third parties interfered with the possession and enjoyment of the petitioner, he along with others filed a civil suit for perpetual injunction and temporary injunction was also granted in

their favour. He further submits that as civil suit is pending between the petitioner and others in respect of the disputed property and as writ petition is also pending, the police implicated the petitioner falsely in the present case. He further submits that the petitioner is a law abiding citizen and he is ready to cooperate with the investigation and he shall abide by any condition imposed by this Court.

5. Learned Additional Public Prosecutor opposed the relief sought in the petition.

6. As seen from the contents of the FIR, there are specific allegations against the petitioner/A2 and other accused that they had created fake and fabricated house plot certificate with respect to the land to an extent of 600 sq. yards vide H.No.1-6 situated at Yellampet Village, by signing on the letter head of Grampanchayat, Yellampet dated 27.06.2018, by misusing the letter head and stamps in the name of one Erukala Jayaramulu, and on enquiry, it was found that the said certificate was created by the accused for the purpose of grabbing the lands of innocent people and damaged the reputation of individual official capacity. Thus, in view of the nature of allegations leveled against the petitioner/A2, I am not inclined to grant anticipatory bail to him and his prayer for anticipatory bail is refused. However, if the petitioner/A2 surrenders before the trial Court within 15 days from today and files an application for bail, the trial Court shall consider the same in accordance with law after giving due notice to the Public Prosecutor.

7. With the above directions, the Criminal Petition is dismissed.

8. Miscellaneous applications, if any pending in this criminal petition, shall stand dismissed.

G. SRI DEVI, J

3rd February, 2020

sj

