

THE HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION No.627 of 2020

ORDER:

This Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973, is filed by the petitioner/accused seeking to grant anticipatory bail in the event of his arrest in Crime No.141 of 2019 on the file of Jagadevpur Police Station, Siddipet District, registered for the offences punishable under Sections 420 and 471 IPC.

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

3. The brief facts of the case as per the complaint are that the de facto complainant owns Acs.3.00 cents of agricultural land in Sy.No.282/A situated in Vattipally Village, Jagadevpur Mandal, Siddipet District; that the husband of the de facto complainant sold one acre out of the said land to the petitioner for Rs.8,10,000/-; that on 05.10.2016 the petitioner has given Rs.4 lakhs as advance to the de facto complainant's husband without knowledge of the de facto complainant and her children; that subsequently in the Panchayat, the de facto complainant and her children expressed their wish not to sell the land and requested the petitioner to take back his advance money, for which he refused and went away; and that after 7 months of the said panchayat, the petitioner created fake documents for total amount paid to the husband of the de facto complainant and

got registered the said land in his name by "Sada Bainama". Hence, the complaint.

4. Learned counsel for the petitioner submitted that the petitioner is innocent of the offences alleged against him and he is falsely implicated in this case at the instance of the husband of the de facto complainant who registered the land to the petitioner; that the husband of the de facto complainant sold away Ac.1.00 of land to the petitioner and possession was delivered and the petitioner is cultivating the same; that the revenue officials after due enquiry, regularized the simple sale deed after collecting the required stamp duty and also issued pattadar passbook to the petitioner; and that all the allegations made in the complaint are subject matter of the appeal pending before the RDO and there is no criminal liability as alleged in the complaint. Learned counsel further submitted that the petitioner is willing to furnish suitable security and is ready to abide by any conditions that may be imposed by this Court in the event of his enlargement on anticipatory bail.

5. Learned Additional Public Prosecutor vehemently opposed to grant anticipatory bail to the petitioner.

6. As seen from the contents of the F.I.R., there are specific allegations against the petitioner. The investigation in the case is still in progress. Hence, at this stage, this Court is not inclined to grant anticipatory bail to the petitioner.

7. The Criminal Petition is accordingly dismissed. However, the petitioner is directed to surrender before the Court concerned

within 15 days from today and file an application for bail, upon which, the Court concerned shall consider the said application and pass appropriate orders in accordance with law.

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

05th February, 2020
dr

JUSTICE G.SRI DEVI

