

**HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

**MONDAY, THE TENTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY**

**:PRESENT:
THE HON'BLE JUSTICE G SRI DEVI**

CRIMINAL PETITION NO: 754 OF 2020

Between:

Sri. Elluru Varaprasad, S/o. Mr. Satyanarayana

....Petitioner/Accused No.1

AND

The State of Telangana, Rep by its Public Prosecutor, High Court at Hyderabad, Through PS
Tandu.

....Respondent

Petition under Section 438 of Cr.P.C, praying that in the circumstances stated in the affidavit filed in support of the Criminal Petition, the High Court may be pleased to direct PS RAJENDRANAGAR to release the petitioners/ accused on bail in the event of the petitioners arrest in relation to FIR NO. 2009 OF 2019 PS RAJENDRANAGAR ON THE FILE XIV ADD METROPOLITAN MAGISTRATE AT CYBERABAD AT RAJENDERNGAR.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of MR.M.R.MOHD IRFAN Advocate for the Petitioner and ADDL.PUBLIC PROSECUTOR (TG) Advocate for the Respondent, the Court made the following.

ORDER

THE HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION No.754 of 2020

ORDER:

This Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973, is filed by the petitioner/accused No.1 seeking to grant anticipatory bail in the event of his arrest in Crime No.2009 of 2019 on the file of Rajendrangar Police Station, Cyberabad, registered for the offences punishable under Sections 420, 447 and 427 read with Section 34 IPC.

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

3. The case of the prosecution in brief is that on 31.12.2019, the de facto complainant lodged a complaint stating that on 23.4.2016, an agreement of sale was entered into between him and one Juveria in respect of Plot Nos.34 and 35 situated at Sy.No.1 of Sikanderguda Village, Bandlaguda Jagir, Gandipet Mandal and later, the said Juveria was continuously delaying the registration of the said land, due to which the de facto complainant filed a suit before the VII Additional Senior Civil Judge, Ranga Reddy District and the said suit was compromised and the de facto complainant has become the absolute owner of the said property; and that the said Juveria in order to make illegal gains executed a registered sale deed in favour of accused Nos.1 and 2 and five others. Hence, the compliant.

4. Learned counsel for the petitioner submitted that the petitioner is the lawful owner of the subject property; that the petitioner filed claim petition in E.P.No.26 of 2018 filed by the de facto complainant, challenging the execution of sale deed; that the Police without ascertaining the true facts had erroneously registered the aforesaid crime; that the petitioner is not guilty of any offences alleged against him; that he is innocent; and that no specific overt acts are alleged against the petitioner and he is falsely implicated in the case. Learned counsel further submitted that the petitioner apprehends his arrest in the present crime, in which case, he will be put to serious loss and hardship. He further submitted that the petitioner is ready to abide by any conditions that may be imposed by this Court and furnish sureties as directed in the event of his enlargement on anticipatory bail.

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

6. Looking into the facts and circumstances of the case, without delving into the merits of the case, as the dispute *prima facie* appears to be civil in nature and admittedly, some civil cases are pending between the petitioner and the de facto complainant, I am inclined to grant anticipatory bail to the petitioner.

7. The Criminal Petition is accordingly allowed. The petitioner is directed to surrender before the Station House Officer, Rajendranga Police Station, Cyberabad, within a

period of 15 days from the date of this order. On such surrender, the said Station House Officer shall release the petitioner/accused on bail on his a personal bond to the tune of Rs.15,000/- (Rupees Fifteen thousand only) with two sureties for the like amount each to his satisfaction. Further, the petitioner shall abide by the conditions stipulated in Section 438(2) Cr.P.C and co-operate with the Investigating Officer in investigating the case.

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

SD/- N. PURUSHOTHAM REDDY
ASSISTANT REGISTRAR

//TRUE COPY//

For ASSISTANT REGISTRAR

To

1. The XIV Additional Metropolitan Magistrate Cyberabad at Rajendranagar.
2. The Station House Officer, Rajendranagar Police Station, Cyberabad.
3. One CC to MR.M.R. M R MOHD IRFAN Advocate [OPUC]
4. Two CCs PUBLIC PROSECUTOR (TG), High Court at Hyderabad (OUT)
5. One spare copy

HIGH COURT

GSD,J

DATED: 10.02.2020

CRL.P.NO.754 OF 2020

BAIL



[Handwritten signature]