

THE HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION No.1004 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.5 of 2020 on the file of Bibinagar Police Station, Rachakonda District, registered for the offences under Sections 420, 468, 471, 447, 427 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 that the de-facto complainant had purchased a plot No.185 in Sy.Nos.63 and 64 situated at Raghavapur Village, from Maxima Estates through monthly installments and the same was registered in her favour through sale deed document No.5154/2000. However, recently, some unknown persons came to her plot repeatedly, and on enquiry, she came to know that A1 had created fake GPA document in his favour by impersonation and sold out her plot to one Martha Bai vide document No.7831/2018, thereby cheated her.

4. Learned counsel for the petitioner/A2 submits that there are no specific overt acts against the petitioner/A2, except bald allegation that he used to sell properties. He further submits that the other accused were remanded to judicial custody and subsequently, released on bail. He also submits that the petitioner is ready to cooperate with the investigation and he shall comply with any condition imposed by this Court.

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

6. A perusal of the remand report would show that there are specific allegations against the petitioner/A2 that he was doing real estate business along with A1 and they cheated the innocent public by creating forged documents without the consent of plot owners and sold the same to persons, who intends to purchase plots and lands, due to which, several cases were registered against A1 and A2 and their associates at Kushaiguda, Keesara, Ghatkesar, Ibrahimpatnam and Sangareddy Town Police Stations. In the present case, A1 and A2 have applied the same modus operandi and that A1 with the active connivance of A2 has created a fake GPA document by downloading the photo of de-facto complainant. Thus, in view of the nature of allegations leveled against the petitioner/A2 and the fact that he was involved in similar type of offences on earlier occasion, I am not inclined to grant anticipatory bail to the petitioner/A2 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 may consider the same in accordance with law.

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

19th February, 2020

sj