

IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

WEDNESDAY, THE FOURTH DAY OF MARCH
TWO THOUSAND AND TWENTY

:PRESENT:

THE HONOURABLE JUSTICE G SRI DEVI
CRIMINAL PETITION NO: 1365 OF 2020

Between:

K. Krishna Rao, S/o Chandraiah, -

Petitioner/Accused

AND

The State of Telangana, through Narsapur P.S., Medak District, Rep. by
Public Prosecutor, High Court for the State of Telangana at Hyderabad.

Respondent/Complainant

Petition under Section 438 of Cr.P.C, praying that in the circumstances stated in the grounds filed in support of the Criminal Petition, the High Court may be pleased to grant an anticipatory bail to the petitioner directing the Narsapur Police to release the petitioner in the event of his arrest in connection with Crime No. 224 of 2019, dated . 21-12-2019 of Narsapur Police Station, Medak District.,

The petition coming on for hearing, upon perusing the Petition and the grounds filed in support thereof and upon hearing the arguments of SRI T P ACHARYA Advocate for the Petitioner and the Additional PUBLIC PROSECUTOR for the sole Respondent, the Court made the following.

ORDER:

HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION NO.1365 OF 2020

ORDER:

This Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973 (Cr.P.C.), is filed by the petitioner/accused, for grant of anticipatory bail in Crime No.224 of 2019 of P.S. Narsapur, Medak District, registered for the offences punishable under Sections 420, 468, 471 and 419 of the Indian Penal Code.

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

In the FIR, it is *inter alia* stated that the *de facto* complainant lodged a complaint on 21.12.2019 stating that she had purchased land in Survey No.432/RU admeasuring Acs.6.00 gts situated at Narsapur from one Rayapur Raju Srinivas Rao under registered sale deed dated 21.01.1985 bearing document No.211/1985 and since then she is in possession of the same. It is further alleged that on 21.11.2019, when she thought to construct compound wall around the property, then the petitioner/accused, who is her neighbour, claimed the land to be his land.

Learned counsel for the petitioner/accused would submit that the *de facto* complainant had entered into an agreement of sale dated 25.06.2004 agreeing to sell her land for a total sale consideration of Rs.9,00,000/- and received the entire sale consideration but failed to execute sale deed and hence, the petitioner/accused filed O.S.No.29 of 2015 on the file of the Senior Civil Judge, Medak, for specific performance and the said suit was

decreed on 25.04.2017. The *de facto* complainant had filed O.S.No.142 of 2019 before the Senior Civil Judge, Medak, for perpetual injunction. Instead of pursuing the civil cases, in order to put pressure on the petitioner/accused, the *de facto* complainant gave the present complaint to the police. It is further submitted that the petitioner/accused is a law abiding citizen and prepared to co-operate in proceeding with the case further. He is having movable and immovable properties and he is prepared to abide the conditions that are going to be imposed by this Court while granting anticipatory bail. Hence, he prayed to grant anticipatory bail to the petitioner/accused.

Learned Additional Public Prosecutor representing the respondent-State opposed to grant anticipatory bail to the petitioner/accused.

Having regard to the facts and circumstances of the case and as there are civil disputes between the parties with respect to disputed land, this Court is inclined to grant anticipatory bail to the petitioner/accused on some conditions.

Accordingly, the Criminal Petition is allowed and the petitioner/accused is directed to surrender before the Station House Officer, Narsapur P.S., Medak District, 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 executing personal bond for a sum of Rs.15,000/- (Rupees fifteen thousand only) with two sureties for a like sum each to his satisfaction. On such release, the petitioner/accused shall abide

by the conditions stipulated under Section 438(2) Cr.P.C and co-operate with the investigating officer in investigating the case.

Miscellaneous applications, if any, pending shall stand closed.

//TRUE COPY//

SD/- CH. VENKATESWAR
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Judicial First Class Magistrate at Narsapur.
2. The Station House Officer, Narsapur Police Station, Medak District.
3. One CC to SRI. T P ACHARYA Advocate [OPUC]
4. Two CCs to PUBLIC PROSECUTOR, High Court at Hyderabad [OUT]
5. One Spare Copy

HIGH COURT

GSDJ

DATED:04/03/2020

ORDER

CRLP.No.1365 of 2020

BAIL

