

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

**MONDAY, THE NINETEENTH DAY OF OCTOBER
TWO THOUSAND AND TWENTY**

PRESENT

THE HON'BLE SRI JUSTICE K. LAKSHMAN

CRIMINAL PETITION NO: 3416 OF 2020

Between:

1. Gudiseva Kanakaiah, S/o Krishna Murthy, Age 56 years, Occ. Business, R/o Flat No.B3, 71, K.Srinivasam Apartment, 1st floor, Chandanagar, HUDA Colony, Hyderabad.
2. Adabala Janaki Ram, S/o Late Venkateswara Rao, Aged about 39 years, Occ. Pvt. Service, R/o H.No. 11-94/2, Flat No.G2, Priyas Nest-1, Neat St.Thomas Church, Chandanagar HUDA Colony, Serilingampally Mandal, Ranga Reddy District.

...PETITIONER/ACCUSED

AND

The State of Telangana, Rep. Public Prosecutor High Court at Hyderabad For the state of Telangana Through SHO, Chandanagar PS.

...RESPONDENT/COMPLAINANTS

Petition under Section 438 of Cr.P.C praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to enlarge the Petitioners / Accused 1 and 2 on bail, in the event of their arrest in Cr.No. 123/2020 on the file of the P.S Chandanagar, Cyberabad

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri V Vamshee Krishna, Advocate for the Petitioner and the Public Prosecutor (TG) on behalf of the Sole Respondent.

The Court made the following: ORDER

THE HONOURABLE SRI JUSTICE K. LAKSHMAN

CRIMINAL PETITION No.3416 OF 2020

ORDER:

This is an application for anticipatory bail. The petitioners herein are accused 1 and 2 in Crime No.123 of 2020 pending on the file of Chandanagar Police Station, Cyberabad Commissionerate. The offences alleged against the petitioners are under Sections 420, 406 and 506 IPC.

2. Heard learned counsel for the petitioners and learned Public Prosecutor. Perused the record.

3. A perusal of the complaint would reveal that the dispute is with regard to purchase of 0.23 cents of land at Moghaltur Mandal, Mutyalapalli Village, AP. The allegation against the petitioners herein is that the *de facto* complainant has paid an amount of Rs.6,50,000/- cash and Rs.6,50,000/- transferred through bank, towards sale consideration on 17.08.2018 and later the *de facto* complainant insisted the accused to get the land registered in his favour, but they postponed the same and sold to third parties, and did not return the sale consideration. Thus, there are serious allegations against the petitioners.

4. On 06.10.2020, when the matter was listed for hearing, learned counsel for the petitioners submitted that the petitioners are willing to repay the advance sale consideration received by them from the *de facto* complainant. Today, on instructions, the learned counsel for the petitioners

would submit that the petitioners are not willing to pay the advance sale consideration and there is no agreement at all as stated above. There are serious allegations against the petitioners that they received Rs.13 lakhs from the *de facto* complainant towards advance sale consideration. Investigation is pending.

5. In view of the above, this Court is not inclined to grant anticipatory bail to the petitioners and accordingly, the criminal petition is dismissed.

Miscellaneous petitions pending, if any, shall stand disposed of.

Sd/- K. AMMAJI
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The X Additional Metropolitan Magistrate at Cyberabad, Kukatpally.
2. The XV Additional Metropolitan Sessions Judge, Ranga Reddy District, Kukatpally.
3. The Inspector of Police, Chandanagar Police Station, Cyberabad.
4. Two CCs to the Public Prosecutor, High Court for the State of Telangana (OUT)
5. One CC to Sri V. Vamshee Krishna, Advocate (OPUC)
6. Two CD Copies

MBC



HIGH COURT

DATED: 19/10/2020



ORDER

CRLP.No.3416 of 2020

DISMISSING THE CRIMINAL PETITION

AJOS (8)
14/11/2020