

HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION NO.8686 OF 2019

ORDER:

This Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973 (Cr.P.C.), is filed by the petitioner/A-3, for grant of anticipatory bail in Crime No.264 of 2019 of P.S. Hayathnagar, Rachakonda District, registered for the offences punishable under Sections 420, 447, 427, 379 and 507 read with Section 34 of the Indian Penal Code.

Heard the learned counsel for the petitioner/A-3, the learned Additional Public Prosecutor representing the respondent-State and perused the record.

In the FIR, it is *inter alia* stated that one late Laxma Reddy, father of A-1, had sold out all his land to a real estate company and after the death of his father, A-1 had took back the documents of the said land from the Co-operative Bank and got some of the lands transferred in the names of himself and his mother with the help of the revenue authorities and also filed O.S.No.124 of 2012 against the real estate company and obtained decree of perpetual injunction and later, basing on the General Power of Attorney executed by his deceased father in favour of the said company, had hatched a plan to cheat the plot owners/purchasers, he sold away Acs.2.00 gts land to A-2 through an agreement of sale-cum-GPA of the year 2007 and later A-2 sold the said land to A-3 and A-4 in the year 2018, that A-1 along with A-3 and A-4 trespassed into the land of the real estate company and plucked out of the boundary stones of the

purchasers of the plot from the said company having full knowledge of the real facts.

Learned counsel for the petitioner/A-3 would submit that the petitioner/A-3 is innocent of the offences alleged against him. The *de facto* complainant falsely implicated the petitioner/A-3 in the crime and the police cleverly converted the civil dispute into criminal dispute with the influence of the *de facto* complainant's relatives, who are higher authorities in the police department. It is further submitted that the petitioner/A-3 is the bread-earner of his family and the entire family members depend on him. Further, total investigation is completed and all the witnesses were examined. The petitioner/A-3 is a permanent resident of the above said address and as such there is no question of absconding or tampering the evidence. Hence, he prayed to grant anticipatory bail to the petitioner/A-3.

Learned Additional Public Prosecutor representing the respondent-State opposed to grant anticipatory bail to the petitioner/A-3.

As seen from the contents of the F.I.R., there are specific allegations against the petitioner/A-3.

Having regard to the facts and circumstances of the case, nature and gravity of the offence, this Court is not inclined to grant anticipatory bail to the petitioner/A-3.

The Criminal Petition is, accordingly, dismissed. However, if the petitioner/A-3 surrenders before the competent Court within a period of fifteen days from today and apply for regular

bail, the same shall be considered by the said Court, in accordance with law.

Miscellaneous applications, if any, pending shall stand dismissed.

(G. SRI DEVI, J)

8th January 2020
RRB

