

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

WEDNESDAY, THE SEVENTH DAY OF JULY TWO THOUSAND AND TWENTY ONE

**:PRESENT:
THE HONOURABLE JUSTICE G SRI DEVI**

CRIMINAL PETITION NO: 4828 OF 2021

Between:

1. Bokka Lakshma Reddy, S/o. Late Ranga Reddy
2. Reddy Vijay Kumar Reddy, S/o Pandu Ranga Reddy
3. Nomula Srinivas Goud, S/o.Lachaiah

Petitioner/Accused Nos.4 to 6

AND

The State of Telangana, through P.S.Shankarpally, represented by Public Prosecutor, High Court for The State of Telengana, at Hyderabad.

Respondent/Complainant

Petition under Section 438 of Cr.P.C, praying that in the circumstances stated in the Criminal Petition, the High Court may be pleased to direct the police, P.S. Shankarpally to enlarge the petitioners/accused No.4, 5 and 6 on anticipatory bail in the event of their arrest in connection with Cr. no. 145 of 2021 of the P.S. Shankarpally on the file of the Junior Civil Judge-Cum-Judicial First class Magistrate at Chevella.

The petition coming on for hearing, upon perusing the Petition and the grounds filed in support thereof and upon hearing the arguments of Sri G ANANDAM, Advocate for the Petitioners, Asst. PUBLIC PROSECUTOR for the Respondent, the Court made the following.

ORDER:

THE HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION No.4828 of 2021

ORDER:

This Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973, is filed by the petitioners/A4 to A6 seeking to grant anticipatory bail in the event of their arrest in Cr.No.145 of 2021 on the file of Shankerpalli Police Station, Cyberabad District, registered for the offences punishable under Sections 406, 420 read with Section 34 IPC.

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

3. The prosecution case is that A1 with the collusion of other accused had executed a sale deed in favour of one Bokka Laxma Reddy fraudulently with mala fide intention, though earlier executed sale deed in favour of the company of the de-facto complainant, in order to extract money against the company, thereby cheated them.

4. Learned counsel for the petitioners/A4 to A6 would submit that the petitioners are innocent of the alleged offences and they have not committed any offence. He would further submit that A4 is a bonafide purchaser of the subject land under a registered sale deed for a valid consideration and A5 and A6 are witnesses to the said transaction, except that they have nothing to do with the alleged offences. He would also submit that petitioners are law abiding citizens and ready to abide by any condition that may be imposed by this Court in the event of their enlargement on anticipatory bail.

5. Learned Assistant Public Prosecutor vehemently opposed to grant anticipatory bail to the petitioners.

6. A perusal of the complaint would show that A1 to A3 had earlier sold the property to the de-facto complainant, but subsequently, the 1st petitioner/A4 has purchased the property for valuable consideration and

sale deed was also executed in his favour and A5 and A6 are only witnesses to the said sale deed. As seen from the contents of FIR, it seems that the dispute is purely civil in nature. Thus, looking into the nature of allegations leveled against the petitioners and also in view of peculiar conditions of pandemic COVID-19 prevailing in the country, without delving into the merits of the matter, I am inclined to grant anticipatory bail to the petitioners/A4 to A6.

7. The Criminal Petition is accordingly allowed and the petitioners/A4 to A6 are granted anticipatory bail subject to the following terms and conditions:

- (i) The petitioners/A4 to A6 are directed to surrender before the Station House Officer, Shankerpalli Police Station, Cyberabad District, within a period of 15 days from the date of this order, and on such surrender, the said Station House Officer shall release the petitioners/A4 to A6 on bail on their executing a personal bond to the tune of Rs.25,000/- (Rupees twenty five thousand only) each with two sureties for the like sum each to his satisfaction.
- (ii) On such release, the 1st petitioner/A4 shall appear before the Investigating Officer on first Sunday of every month between 10.00 AM and 5.00 PM, till completion of investigation or filing of the charge sheet, whichever is earlier.
- (iii) The petitioners/A4 to A6 shall abide by the other conditions stipulated in Section 438(2) Cr.P.C.

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

//TRUE COPY//

SD/- V.SUDHA
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Judicial First Class Magistrate at Chevella, Ranga Reddy District.
2. The Station House Officer, P.S.Shankerpally.
3. One CC to SRI G ANANDAM Advocate [OPUC]
4. Two CCs to PUBLIC PROSECUTOR, High Court at Hyderabad. (OUT)
5. One spare copy

mvj

HIGH COURT

GSD,J

DATED:07/07/2021

ORDER

CRLP.No.4828 of 2021



BAIL