

HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD
MONDAY, THE NINETEENTH DAY OF JULY TWO THOUSAND AND TWENTY ONE

:PRESENT:

THE HONOURABLE JUSTICE G SRI DEVI ✓
CRIMINAL PETITION NO: 5271 OF 2021 ✓

Between:

Botla Devender @ Devender, S/o. Narsaiah

...Petitioner/Accused No.6

AND

1. The State of Telangana, Rep. By the Public Prosecutor, High Court at Hyderabad.
2. Kolla Rajireddy, S/o. Venkat Reddy, Aged about 75 years, R/o. H.No.20-438, Vidyanagar, Huzurabaad village, Karimnagar District.

...Respondents/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 enlarge the Petitioner/Accused No.6 on bail in the event of his arrest in Cr.No.84/2021 dt: 18/05/2021 with regard to offence under Sections 465, 471, 167, 420 read with 34 of I.P.C., on the file of Saidapur Police Station, Karimnagar District. ✓

The petition coming on for hearing, upon perusing the Petition and the grounds filed in support thereof and upon hearing the arguments of M/s BALLA RAVINDRANATH Advocate for the Petitioner and of Assistant PUBLIC PROSECUTOR for the Respondent No.1, the Court made the following. ✓

ORDER:

THE HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION NO.5271 OF 2021

ORDER:

This Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973, is filed by the petitioner/A-6 seeking to grant anticipatory bail in the event of his arrest in connection with Crime No.84 of 2021 of P.S. Saidapur, Karimnagar, registered for the offences punishable under Sections 465, 471, 167 and 420 read with Section 34 of the Indian Penal Code.

Heard the learned counsel appearing for the petitioner/A-6, learned Assistant Public Prosecutor appearing for the respondent-State and perused the record.

Learned counsel for the petitioner/A-6 would submit that the petitioner is innocent of the offences alleged against him and has been falsely implicated. The petitioner is having fixed abode and there is no question of absconding. It is further submitted that the petitioner/A-6 is willing to furnish suitable security and abide by any condition which this Court may deem fit to impose in the event of granting anticipatory bail. Hence, it is prayed that the petitioner/A-6 be granted anticipatory bail.

Learned Assistant Public Prosecutor opposed to grant anticipatory bail to the petitioner/A-6.

The allegations against the present petitioner is that he, along with A-7 and A-8, has entered the names of A-1 and A-2 in the revenue records as owners of the land in question. Admittedly, whether entry of names of the other accused in the revenue records is bonafide or with malafide intention is the matter of

investigation, basing on the documentary evidence and hence, custodial interrogation of the petitioner may not be required.

Thus, looking into the facts and circumstances of the case and also in view of the peculiar conditions of pandemic COVID-19 prevailing in the country, without delving into the merits of the case, I am inclined to grant anticipatory bail to the petitioner/A-6.

The Criminal Petition is allowed and the petitioner/A-6 is granted anticipatory bail subject to the following terms and conditions:

- (1) The petitioner/A-6 is directed to surrender before the Station House Officer, P.S. Saldapur, Karimnagar, within a period of four weeks from the date of this order and on such surrender, the said Station House Officer shall release the petitioner/A-6 on bail on his executing personal bond for a sum of Rs.30,000/- (Rupees thirty thousand only) with two sureties for a like sum each to his satisfaction.
- (2) The petitioner/A-6 shall appear before the investigating authorities on every first Saturday between 10.00 am and 5.00 pm till completion of investigating and filing of final report.
- (3) The petitioner/A-6 shall not interfere with the investigation, intimidate or induce the material witnesses and shall cooperate with the investigating agency.
- (4) The petitioner/A-6 shall furnish all the relevant documents which are necessary for the purpose of fair investigation and shall also abide by the other

conditions stipulated in 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.

Sd/- T.TIRUMALA DEVI
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Additional Judicial First Class Magistrate at Huzurabad.
2. The III Additional Sessions Judge, Karimnagar District.
3. The Station House Officer, Police Station, Saidapur, Karimnagar District.
4. One CC to M/s BALLA RAVINDRANATH, Advocate [OPUC]
5. Two CCs to PUBLIC PROSECUTOR, High Court for the State of Telangana at Hyderabad [OUT].
6. One spare copy
ZEE

HIGH COURT

GSDJ

DATED:19/07/2021

ORDER



CRLP.No.5271 of 2021

BAIL