

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

THURSDAY, THE TWENTY EIGHTH DAY OF OCTOBER
TWO THOUSAND AND TWENTY ONE

:PRESENT:

**THE HONOURABLE JUSTICE G SRI DEVI
CRIMINAL PETITION NO: 7615 OF 2021**

Between:

1. Paccha Seshagiri Rao, S/o. Bhadraiah,
2. Paccha Venkateshwar Rao, S/o. Bhadraiah,
3. Paccha Sekhar Rao, S/o. Bhadraiah,
4. Kandru Srinukumari, W/o. Surya Rao,
5. Mandava Ramakrishna, S/o. Koteswar Rao,
6. Guntupally Hanumantha Rao, S/o. Somaiah,

Petitioners/Accused 1 to 6

AND

The State of Telangana, through SHO Eturnagaram PS, Rep. by
Public Prosecutor, High Court, Hyderabad

Respondent/Complainant

Petition under Section 438 of Cr.P.C, praying that in the
circumstances stated in the grounds filed in the Criminal Petition,
the High Court may be pleased to enlarge the petitioners (A-1 to
A-6) on bail in the event of their arrest in connection with Crime
No. 97 of 2021 of Eturnagaram PS

The petition coming on for hearing, upon perusing the
Petition and the grounds filed in support thereof and upon
hearing the arguments of SRI JITHENDER RAO VEERAMALLA
Advocate for the Petitioners and the Assistant Public Prosecutor
for the Sole Respondent, the Court made the following.

ORDER:

THE HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION No.7615 of 2021

ORDER:

This Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973, is filed by the petitioners/A1 to A6 seeking to grant anticipatory bail in the event of their arrest in Cr.No.97 of 2021 on the file of Eturnagaram Police Station, Mulugu District, registered for the offences punishable under Sections 415, 420, 463, 464, 465, 470, 120-B, 509 read with Section 149 IPC and 156(3) Cr.P.C.

2. Heard learned counsel appearing for the petitioners/A1 to A6, learned Assistant Public Prosecutor appearing for the respondent-State and perused the record.

3. The case of the prosecution is that all the accused have produced a fake will deed dated 11.08.2008 before the Tahsildar, and A1 to A3 also abused the de-facto complainant and his family in filthy language and defamed them in front of the Tahsildar and other persons with regard to land disputes.

4. Learned counsel for the petitioners submits that the petitioners are innocent of the alleged offences and they have been falsely implicated in the present case. He further submits that the de-facto complainant is a stranger to the executants of will deed and there is no proof with regard to his adoption as on the date of the complaint. He also submits that the petitioners have no criminal antecedents prior to this occurrence and they are law abiding citizens and ready to abide by any condition 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 petitioners.

6. The private complaint filed by the de-facto complainant has been referred to police under Section 156(3) Cr.P.C. A perusal of the contents

of the complaint, it seems that the dispute is civil in nature as to the execution of Will by the deceased in favour of A1 to A3 and the father of the de-facto complainant and that A4 to A6 are only the attesting witnesses to the said document. Moreover, the offences alleged against the petitioners are punishable within 7 years of imprisonment. Thus, looking into the nature of allegations leveled against the petitioners and other facts and circumstances, without delving into the merits of the matter, I am inclined to grant anticipatory bail to them.

7. The Criminal Petition is allowed and the petitioners/A1 to A6 are granted anticipatory bail subject to the following terms and conditions:

- (i) The petitioners/A1 to A6 are directed to surrender before the Station House Officer, Eturnagaram Police Station, Mulugu 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 on bail on their executing a personal bond to the tune of Rs.15,000/- (Rupees fifteen thousand only) each with two sureties for the like sum each to his satisfaction.
- (ii) On such release, the petitioners/A1 to A6 shall appear before the Investigating Officer as and when required for the purpose of fair investigation and shall furnish all necessary relevant documents for the purpose of investigation and cooperate with the investigation.
- (iii) The petitioners/A1 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/- T TIRUMALA DEVI
Assistant Registrar

SECTION OFFICER

To,

1. The Judicial First Class Magistrate at Mulugu
2. The Station House Officer, Eturnagaram Police Station, Mulugu District
3. One CC to SRI. JITHENDER RAO VEERAMALLA Advocate [OPUC]
4. Two CCs to PUBLIC PROSECUTOR, High Court at Hyderabad. [OUT]
5. One Spare Copy

HIGH COURT

GSDJ

DATED:28/10/2021

ORDER

CRLP.No.7615 of 2021

BAIL

