

HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

CRIMINAL PETITION No. 9209 of 2021

ORDER:

This petition is filed under Section 438 Cr.P.C. seeking bail to petitioners/A-1 and A2 in the event of their arrest in connection with Crime No.169 of 2019 of Maldakal Mandal Police Station, Jogulamba Gadwal District, registered for the offences punishable under Sections 420,466, 467, 468, 504 read with 34 IPC and under Section 156(3) Cr.P.C.

2. The case of prosecution is that the complainant is owner and possessor of the land to an extent of Ac.2-36 gts in Sy.No.396/2/1, situated at Bijjawaram Village, Maldakal Mandala, and they are cultivating the same since 1968, but A1 and A2 have created fake documents with respect to the said land, in the revenue records, and threatening the complainant and creating nuisance.

3. Heard Sri B. Ravichandra, learned counsel for petitioners and learned Assistant Public Prosecutor for the respondent-State.

4. Learned counsel for petitioners submits that in respect of a piece of land, civil disputes are pending between the parties in the year 2018 and the complainant has filed O.S.No.85 of 2012 on the file of Principal Junior Civil Judge, Gadwal, against the petitioners and others, and the same was dismissed for default. Learned counsel submits that in respect of the very same property and as petitioners are in possession of the same, the petitioners have filed O.S.No.207 of 2018 on the file of Principal Junior Civil Judge at Gadwal, wherein the complainant has filed written statement. Learned counsel submits that it is purely a civil litigation between the parties and in order to harass the petitioners, a private complaint is filed. Learned counsel submits that the complaint is of the year 2019 and the petitioners are ready to cooperate with the investigation. Learned counsel submits that in a private complaint, which was referred to the police, without even conducting

preliminary investigation, police have registered the complaint, and hence, their case may be considered for grant of pre-arrest bail.

5. Learned Assistant Public Prosecutor submits that investigation is pending .

6. Taking into consideration the fact that the crime is of the year 2019 and there are civil disputes between the parties, this Court deems it appropriate to grant pre-arrest bail to petitioners.

7. The Criminal Petition is allowed. Petitioners – Accused Nos.1 and 2 shall surrender before the Station House Officer, Maldakal Mandal Police Station, Jogulamba Gadwal District, in connection with Crime No.169 of 2019 within one week from today and on such surrender and executing a personal bond for Rs.20,000/- (Rupees twenty thousand only) each with two sureties for a like sum each to the satisfaction of the said Station House Officer, they shall be released on bail. It is made clear that no further extension of time will be granted.

LALITHA KANNEGANTI, J

14th December, 2021

sj