

HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

CRIMINAL PETITION No. 9485 of 2021

ORDER:

This petition is filed under Section 438 Cr.P.C. seeking bail to petitioner/A-7 in the event of his arrest in connection with Crime No.15 of 2021 of Mailardevpally Police Station, Ranga Reddy District, registered for the offences punishable under Sections 420, 406, 419, 468, 471, 120-B read with 34 IPC.

2. The case of prosecution is that the Legal Manager of Indiabulls Housing Finance Limited, lodged a complaint stating that A2 and his wife-A3 approached their finance company, Banjara Hills Branch Office, along with A4 and A5, to provide home loan facility to purchase plot, and as per their request, the company sanctioned 32 Lakhs in favour of A2, and thereafter, A2 and A3 again availed loan of Rs.31,50,000/-, but as the accused have committed default, the de-facto complainant has approached the mortgaged plots to take physical possession of secured assets, but some third parties had illegally trespassed into the said lands claiming as owners. Thus, all the accused with a criminal intention and preplanned manner committed the crime by forging the documents, thereby cheated the company of the de-facto complainant.

3. Heard Sri T. Rajinikath Reddy, learned counsel for petitioner and learned Assistant Public Prosecutor for the respondent-State.

4. Learned counsel for petitioner submits that in respect of A2 to A6, this Court has already granted pre-arrest bail with certain conditions and as the petitioner is similarly situated; his case may also be considered. However, learned counsel submits that a condition was imposed against A2 to A6 directing to appear before the investigating officer on every Friday between 10.00 AM and 2.00 PM., till completion of investigation or filing of the charge sheet. Leaned counsel submits that the petitioner is arrayed as A7 and he has undergone an operation and suffering with inter related issues

and it is very difficult to appear before the police on every Friday and hence, the said condition may be relaxed against the petitioner.

5. In the light of the orders passed by this Court in CrI.P.No.5277 of 2021 dated 19.07.2021, this Court deems it appropriate to grant pre-arrest bail to petitioner, however on certain conditions.

6. The Criminal Petition is allowed. Petitioner – Accused No.7 shall surrender before the Station House Officer, Mailardevpally Police Station, Cyberabad, in connection with Crime No.15 of 2021 within one week from today and on such surrender and executing a personal bond for Rs.20,000/- (Rupees twenty thousand only) with two sureties for a like sum each to the satisfaction of the said Station House Officer, he shall be released on bail. On such release, the petitioner/A7 shall appear before the police concerned on every Sunday between 10.00 am and 1.00 pm, till completion of investigation and filing of the charge sheet. It is made clear that no further extension of time will be granted.

LALITHA KANNEGANTI, J

21st December, 2021

sj