

THE HON'BLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION NO. 3215 of 2022

ORDER:

This Criminal Petition under Section 438 Cr.P.C. is filed by petitioners/accused Nos.6 & 7 seeking bail in the event of their arrest in connection with Crime No. 114 of 2022 on the file of Uppal Police Station, Rachakonda, registered for the offences punishable under Sections 447, 427, 419, 420, 468, 471 r/w 34 of Indian Penal Code.

2. The case of the prosecution is that in the year 1983, complainant had purchased open plot bearing No.276, admeasuring 267 Sq.Yds. from Sriramana Co-operative Society TB No.246, situated at Ramanthapur, Uppal Mandal and thereafter she constructed a compound wall and erected a gate; that after the demise of her husband she along with her younger brother often visited the plot at Ramanthapur; and that on 06.12.2021 when she visited her plot, Eshanamma and others forcibly sent the complainant back stating that the plot

belongs to them. Upon that the complainant enquired with the SRO, Uppal, she came to know that Pasala Jyothi who is the only daughter of Patchipulusu Varalakshmi Kumari, who died on 05.08.2014, created a forged gift deed bearing Doc.No.18873 of 2021, dt.03.12.2021 in favour of her daughter Pasala Vennela, subsequently on 09.12.2021, the said Pasala Vennela executed sale deed bearing Doc.No.19313/2021 in favour of Gollapudi Mariamma. Therefore, they filed petitions on the file of III Additional Junior Civil Judge at L.B.Nagar and on 14.12.2021 and the court granted injunction directing Pasala Jyothi, Pasala Vennela not to interfere with the plot, but on 18.12.2021, Gollapudi Mariamma executed a sale deed bearing No.19738 of 2021 in favour of Pasala Jyothi and Balla Jyothi. While so, on 08.02.2022 on coming to know about the leveling of their plot, the complainant rushed to the spot and came to know that Eshanamma, Pasala Jyothi, Sravan, Mallikarjun, Rayanna and others criminally trespassed into her plot and leveling the plot by damaging the gate

and trees and thereby the accused cheated the complainant and trying to grab her property.

3. Heard learned counsel for petitioners and learned Assistant Public Prosecutor.

4. As seen from the facts of the case pending civil litigations all the documents are in possession of the police and custodial interrogation is not required as far as petitioners are concerned, for which reason they can be granted relief of anticipatory bail subject to the following terms and conditions:

(1) The petitioners/accused Nos.6 & 7 are directed to surrender before the Station House Officer, Uppal Police Station, within ten days and on such surrender, the said Station House Officer shall release the petitioners/accused Nos.6 & 7, on bail on their executing a personal bond to the tune of Rs.25,000/- (Rupees twenty five thousand only) each with two sureties to the like sum each to his satisfaction.

(2) The petitioners/accused Nos.6 & 7 shall abide by the other conditions stipulated in Section 438(2) Cr.P.C and co-operate with the Investigating Officer in investigating the case.

(3) The petitioners/accused Nos.6 & 7 shall appear before the concerned police station on every Monday for a period of three months or until filing of charge sheet, whichever is earlier.

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

K.SURENDER,J

Date :18.04.2022
tk

THE HON'BLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION NO. 3215 of 2022
Dt.18.04.2022

tk