

THE HON'BLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No. 7036 of 2022

ORDER:

This Criminal Petition is filed under Section 438 of Cr.P.C. by petitioners/A1 & A2 seeking bail in the event of their arrest in connection with Crime No.5 of 2022 on the file of Asifnagar Police Station, Hyderabad, registered for the offences punishable under Sections 406, 420, 506 read with 34 of Indian Penal Code and Section 156(3) of Cr.P.C.

2. Heard learned counsel for the petitioners and learned Assistant Public Prosecutor for the respondent-State and perused the record.

3. The case against the petitioners is that the 1st petitioner executed an absolute agreement of sale in favour of 2nd petitioner on 28.04.2015. The *defacto* complainant's father approached the petitioners herein for the purchase of property and accordingly an amount of Rs.8 lakhs was transferred to the account of 1st petitioner and Rs.5 lakhs to the account of the 2nd petitioner. The allegation is that after transfer of the amount when complainant insisted for registration, he came to know that the property was a Government Property and it cannot be purchased.

4. The petitioners are in possession of the land under a notarized agreement of sale. When the said fact is to the knowledge of the *defacto* complainant and nothing is suppressed even according to the

complaint, these petitioners can be granted the relief of Anticipatory bail in the event of their arrest, subject to the following conditions:

- 1) The petitioners/A1 & A2 are directed to surrender before the Station House Officer, Asif Nagar Police Station, Hyderabad, within a period of ten days from the date of this order. On such surrender, the said Station House Officer shall release the petitioners/A1 & A2 on bail, on their executing personal bonds for a sum of Rs.20,000/- (Rupees Twenty Thousand only) each with two sureties for a like sum each to his satisfaction.
- 2) On such release, the 1st petitioner/A1 shall appear before the concerned police on every Monday between 10.00 a.m. to 1.00 p.m. for a period of eight weeks and the 2nd petitioner shall appear before the concerned police as and when directed, for the purpose of investigation.
- 3) The petitioners/A1 and A2 shall abide by the other conditions stipulated in Section 438(2) of Cr.P.C and shall co-operate with the Investigating Officer in investigating the case.

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

Date : 16.08.2022
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K.SURENDER, J

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Dt.16.08.2022

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