

THE HONOURABLE SRI JUSTICE M.LAXMAN

CRIMINAL PETITION NO.5330 OF 2023

ORDER :

1. This petition is filed seeking anticipatory bail under Section 438 of Criminal Procedure Code, 1973 (Cr.P.C). The petitioner is accused in Crime No.586 of 2023 of L.B.Nagar Police Station, Rachakonda. The offences alleged against the petitioner are under Sections 420, 467, 468 and 471 of Indian Penal Code.

2. The sum and substance of case of the prosecution is that the complainant is the owner of the commercial plot bearing No.53 in Survey No.67 of RTC Colony, L.B.Nagar. The property was acquired under a Will Deed from his mother and the same was let out to one P.Suresh, who is the proprietor of M/s.Balaji Tiffins and Mess (A unit of Sri Balaji Enterprises) for the last five years. The petitioner claiming to be the tenant has allegedly created a forged rental deed, alleged to have been executed by the mother of the complainant in the year 2022 and in fact his mother

died in the year 2016. Basing on the said allegation, the present complaint is filed.

3. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the respondent - State.

4. The material on record shows that the petitioner filed suit for injunction against P.Suresh and the present petitioner and an interim injunction was also granted in the suit. The petitioner produced certain bank transactions whereunder amounts were transferred to P.Suresh, which shows that there is a business transaction in between P.Suresh and the petitioner. It appears the present complaint is at the behest of P.Suresh who had a business rivalry with the present petitioner. The complainant also filed a civil suit for eviction against P.Suresh and the present petitioner.

5. In the said background of facts, this Court is inclined to grant anticipatory bail to the petitioner-accused.

6. Accordingly, the Criminal Petition is allowed on the following terms and conditions:

- (i) The petitioner/accused is enlarged on bail in the event of his arrest in connection with FIR No.586 of 2023 on the file of the Station House Officer, L.B.Nagar Police Station, Rachakonda on his executing a personal bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties to the like sum each to the satisfaction of concerned Station House Officer.
- (ii) The petitioner/accused shall appear before the Station House Officer, L.B.Nagar Police Station, Rachakonda on every Saturday between 10.00 am and 05.00 pm, for a period of two (02) months.
- (iii) The petitioner/accused 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.

JUSTICE M. LAXMAN

27.06.2023
pld/ns

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