

THE HONOURABLE SRI JUSTICE M. LAXMAN

CRIMINAL PETITION No.5832 OF 2023

ORDER:

1. This petition is filed under Section 438 of Criminal Procedure Code, 1973 (Cr.P.C) seeking anticipatory bail to the petitioners, who are arrayed as accused Nos.2 and 3 in Crime No.81 of 2023 of Madgul Police Station, Rachakonda. The offences alleged against the petitioners are under Sections 420, 467, 468 and 471 read with Section 34 of the Indian Penal Code.

2. The sum and substance of case of the prosecution is that accused No.1 allegedly created an agreement of sale as if that the complainant has executed such agreement of sale to sell the property which she purchased from Bokka Narsimha Reddy and filed specific performance suit. In fact, according to the complainant she never executed such a document.

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

4. The petitioners are not party to the specific performance suit and they are also not party to the agreement of sale. The petitioners are only family members of accused No.1. The

subject matter is still in *subjudice*. In the said circumstances, the request of the petitioners can be considered.

5. Accordingly, the Criminal Petition is allowed and the petitioners-accused Nos.2 and 3 shall be released on bail on the following terms and conditions:

- (i) The petitioners-accused Nos.2 and 3 are enlarged on bail in the event of their arrest in connection with FIR No.81 of 2023 on the file of the Station House Officer, Madgul Police Station, Rachakonda on their executing a personal bond for a sum of Rs.20,000/- (Rupees Twenty Thousand only) each with two sureties to the like sum each to the satisfaction of concerned Station House Officer.
- (ii) The petitioners-accused Nos.2 and 3 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

Date: 07.07.2023
pld/ns

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