

THE HON'BLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No. 11196 OF 2023

ORDER:

1. This Criminal Petition is filed under Section 438 of Cr.P.C. by the petitioner/Accused No.2 seeking bail in the event of his arrest in connection with Crime No.263 of 2023 on the file of Central Crime Station, Hyderabad, registered for the offence under Section 420 of IPC.
2. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the respondent-State and perused the record.
3. The case of the prosecution is that the *de-facto* complainant was cheated by A-1, who is the father of this petitioner in a land transaction.
4. Learned counsel appearing for the petitioner would submit that this petitioner is a student and he was not named in FIR and the *de-facto* complainant is not having any grievance against this petitioner. However, he was subsequently shown as A-2 and notice under Section 41-A Cr.P.C is served on him. In obedience of the said notice, the petitioner has appeared thrice and submitted all the documents to the Police.

5. The said fact of appearing and assisting the investigation on three occasions is not disputed by the learned Additional Public prosecutor. However, she submits that the properties that were transferred by A-1 in the name of this petitioner, were in turn sold by this petitioner.

6. Learned counsel appearing for the *de-facto* complainant opposed grant of bail on the ground of serious allegations of cheating against this petitioner.

7. Keeping in view that the transactions are borne by record, and petitioner being a student apprehending arrest, the relief of anticipatory bail can be granted, subject to conditions:-

- 1) The petitioner/Accused No.2 is directed to surrender before the Station House Officer, Central Crime Station, Hyderabad, on or before 22.11.2023. Upon such surrender, the said Station House Officer shall release the petitioner/Accused No.2 on bail, on his executing personal bond for a sum of Rs.50,000/- (Rupees Fifty Thousand only) with two sureties for a like sum each to his satisfaction.
- 2) On such release, the petitioner/Accused No.2 shall appear before the concerned Police at 10:00 a.m. everyday for a period of two weeks for the purpose of investigation and thereafter, as and when required.
- 3) The petitioner/Accused No.2 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.

8. Accordingly, the Criminal Petition is allowed. Miscellaneous applications, if any pending in this criminal petition, shall stand closed.

Date : 15.11.2023
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K.SURENDER, J

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Dt.15.11.2023

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