

THE HONOURABLE DR.JUSTICE G. RADHA RANI

CRIMINAL PETITION No.3515 of 2024

ORDER:

This Criminal Petition is filed by the petitioners – A1 to A3 under Section 438 of Code of Criminal Procedure for grant of anticipatory bail in the event of their arrest in Crime No.61 of 2024 on the file of PS Manakondur, registered for the offences punishable under 465, 467, 468, 218 and 120-B of IPC.

2. The case of the prosecution in brief was that on 29.01.2024 at 20:00 hours, the *de facto* complainants five in number lodged a report before the PS stating that they were the owners of a land in Survey Nos.117 and 118 of Eedulagattepalli, Manakondur Mandal, Karimnagar District by way of inheritance. They gave the said land on lease to the petitioners herein – A1 to A3. Later, the petitioners – A1 to A3 got tampered 1-B record by entering their names through forged documents with the help of A4, the former Revenue Officer of Manakondur and with the help of other Revenue Personnel were trying to grab their land.

3. Basing on the said report, the above crime was registered.

4. Heard the learned counsel for the petitioners and the learned Additional Public Prosecutor for the respondent – State.

5. Learned counsel for the petitioners submitted that there was a civil dispute pending between the petitioners and the complainant. The *de facto* complainant filed O.S.No.1467 of 2022 seeking the relief of declaration of title and injunction against the petitioners and others. The same was pending before the II Additional Junior Civil Judge, Karimnagar. The petitioners appeared and filed their written statement. The complainant intentionally converted the dispute of civil nature into a criminal offence. The police have issued notices under Section 41-A Cr.P.C. and the petitioners also gave their explanation. But the petitioners were apprehending their arrest, as such, prayed for grant of anticipatory bail to the petitioners.

6. Learned Additional Public Prosecutor opposed grant of anticipatory bail to the petitioners stating that there were allegations against the petitioners with regard to manipulation of records with the help of Revenue Officials, as such, they were not entitled for grant of anticipatory bail.

7. Perused the record.

8. Considering that the complainants have already filed O.S.No.1467 of 2022 seeking declaration of title and consequential injunction and the petitioners also filed their written statement in the said suit and as the matter

prima facie appears to be of civil in nature, it is considered fit to grant anticipatory bail to the petitioners – A1 to A3 on certain conditions.

9. In the result, the Criminal Petition is allowed and the petitioners – A1 to A3 are granted anticipatory bail subject to the following conditions:

(i) The petitioners – A1 to A3 are directed to surrender themselves before the Station House Officer of PS Manakondur within a period of (15) days from the date of this Order, and on such surrender, the SHO of PS Manakondur shall release the petitioners – A1 to A3 on bail on their executing a personal bond for a sum of Rs.25,000/- each (Rupees Twenty Five Thousand only) with two sureties for a like sum each to the satisfaction of the said Station House Officer.

(ii) The petitioners – A1 to A3 shall comply with the conditions stipulated under Section 438(2) of Cr.P.C.

As a sequel, miscellaneous applications pending in this petition, if any shall stand closed.

Dr. G. RADHA RANI, J

Date: 2nd April, 2024
Nsk.