

HONOURABLE Dr.JUSTICE G.RADHA RANI

CRIMINAL PETITION No.4626 OF 2024

ORDER:

This Criminal Petition is filed by the petitioner – accused under Section 438 of Code of Criminal Procedure for grant of anticipatory bail in the event of his arrest in Crime No.105 of 2023 on the file of Mokila Police Station, Rangareddy District (Cyberabad Unit), registered for the offences punishable under Sections 365, 386, 327, 120-B read with Section 149 of IPC.

2. The case of the prosecution in brief was that on 15.11.2023 at 10:00 hours, the *de-facto* complainant lodged a report about missing of his uncle Srinivasa Raju and that his uncle's car was found on the road situated at Kondakal thanda near Nagulapally Station.

3. Basing on the said report, initially a case was registered for the offence under Section 363 of IPC against unknown persons. Subsequently on 17.11.2023, the police received a MLC from AIG Hospital stating that the victim Srinivasa Raju got admitted for treatment at the said hospital.

4. The police recorded the statement of Srinivasa Raju, wherein he stated that he was doing real estate business. He was having total 100 acres of land situated at Thalakondapally, Chandradana Village, Ippulapally,

Keshampet, Zaheerabad, Vemula, Midjil, Kondakal and Nandigama. On 15.11.2023 at 07:15 hours, when he went to drop his younger son Rohit at Indus School, Mokila in his TATA Harrier Car bearing No.TS-10-FC-6688 and after dropping his son proceeded towards Shamshabad to discuss about his land and when he got down the car to attend nature call, meantime, a black color Mahindra Scorpio came there, four persons got down from the vehicle. They rounded him and took him forcibly in their vehicle and asked him to take them to his Talakondapally garden. But he took them to his venture at Ippulapally expecting that any known persons would be available in that venture. From there, they took him to Keshampet, Jadcherla and from there to a garden at Venkaiahpally and made him to sit in the garden. At about 7:00 PM in the night, Suryanarayana Raju (A1) came there. Suryanarayana Raju asked him that in the year 2012, he gave him Rs.35.00 lakhs to purchase the land at Midjil and the persons who came along with him rounded him and beat him with sticks and coconut tree branches. Due to which, he sustained severe contusion injuries over his shoulder and on his back. They also beat him with sticks on his legs. The victim told Suryanarayana Raju that he purchased the said land ten years ago and asked him to enquire the value of the land at that time and that he would pay the balance if any. He stated that he along with five others purchased 100 acres of land @ 2.5 lakhs to 3 lakhs per acre. He got arranged fencing, planted

trees and attended other works. He promised Suryanarayana Raju to register 10 acres of land on his name, but registered 6 acres of land in Survey No.120/2AA/2 situated at Vemula Village, Midjil Mandal, Mahaboobnagar District on his name and developed the said land. Now, he had to give balance 4 acres of land to Suryanarayana Raju, but the farmers who took the advance amounts to sell the lands did not come forward to register the lands. He informed the same to Suryanarayana Raju, but Suryanarayana Raju claimed that he purchased the land @ Rs.1.00 lakh per acre and he was entitled for 30 acres of land and demanded him to register the 30 acres of land on his name and threatened to kill him, his wife and his son and demanded to register the land situated at Chandradana Village of Thalakondapally Mandal on his name. The victim stated that he would register 20 acres of land and pay money to the 4 acres of land to the persons, who would come along with him. One Upender Reddy threatened him stating that he would kill his younger son while returning from school and also threatened to kill him and his wife and stated that they collected mobile locations with the help of a known police officer and conducted recce at his house and fixed GPS to his vehicle without his knowledge and threatened to heed to them otherwise they would smash his family. As such, he agreed to register the land. The discussions were concluded in the night at 09:30 PM. Then Suryanarayana Raju left the place by handing him over

to Upender Reddy gang stating that he would need to book slot for registration. Later, Upender Reddy men took him to Ananthapur via Kurnool from Venkaiahpally in black color Mahindra Scorpio and on 16.11.2023 morning at 06:00 AM, they brought him to Shadnagar from there they took him to Thalakondapally and at 10:30 AM to the MRO Office, Thalakondapally. When he read the registration documents, it was found that it was prepared for 30 acres. When he questioned Suryanarayana Raju about the same, Suryanarayana Raju told him that he would re-register 6 acres of land on his name, if he would not disclose to anyone about beating him. On that, he registered 30 acres of land in the name of Suryanarayana Raju. The registration was concluded at 01:00 PM. Later Upender Reddy and his men took him to Shadnagar from Thalakondapally and they brought him near Nandini Hotel, Shadnagar and gave him Rs.2,000/- and went towards Hyderabad. Chandu and his men proceeded towards Kurnool in white Scorpio vehicle. Later, he went to Shadnagar Scan Centre and Diagnostic at Shadnagar and underwent tests and later went to AIG Hospital, Gachibowli and admitted for treatment. Basing on his statement, the Section of Law was altered to the above offences. A1 to A3 and A6 to A8 were arrested on 18.11.2023.

5. Heard the learned counsel for the petitioner and the learned Additional Prosecutor for the respondent – State.

6. Learned counsel for the petitioner-accused submitted that the petitioner was working as a Tahsildhar at Talakondapally Mandal. On the presentation of documents by the landlord i.e., Bayyaraju Srinivasa Raju, he being an authorized officer completed the registration formalities as nothing was disclosed before him about any threat or compulsion under which he was registering the document. The complainant infact stated that, he received the entire sale consideration. The E.C also would not show any encumbrance. After registration formalities, as he received a call from the RDO to attend his office, as he was conducting meeting with all other MRO's on the election subject, therefore, the petitioner immediately rushed to the RDO office.

6.1. Learned counsel for the petitioner-accused further submitted that the police Talakondapally issued 41-A Cr.P.C notice to the petitioner on 19.03.2024 asking him to appear on 26.03.2024 and to submit his explanation if any, for which the petitioner submitted his explanation on 26.03.2024 by personally appearing before the SHO. The victim was pressurizing the Mokila Police Station to arrest the petitioner under political influence. The District Collector, Ranga Reddy District vide proceedings dated 01.02.2024 appointed several Tahsildars, MPDO etc., as special officers of the respective Gram Panchayats and the petitioner was appointed as a Nodal Officer for co-ordination with District Level Nodal Officer for

ensuing General Elections. If the petitioner was arrested his career would be ruined.

6.2. He further submitted that the prime accused Nos.1 and 2 were released on regular bail on 07.12.2023 and the other accused A11 and A12 were granted anticipatory bail by this Court *vide* Crl.P.No.3972 of 2024 dated 23.04.2024. The accused A4, A5 and A10 were also granted anticipatory bail by this Court *vide* Crl.P.No.11772 of 2023 dated 04.12.2023 and Crl.P.No.12292 of 2023 dated 15.12.2023 and prayed to enlarge the petitioner on anticipatory bail.

7. Learned Additional Public Prosecutor opposed grant of anticipatory bail to the petitioner.

8. Perused the record. Considering that the petitioner was a Tahsildar and that the parties had booked the registration slots and also presented the documents before him for registration and the *de-facto* complainant had not made any complaint to him at the time of registration and there were no other allegations against him attracting the offences registered, it is considered fit to enlarge the petitioner-accused on anticipatory bail on certain conditions.

9. Accordingly, the Criminal Petition is allowed and the petitioner-accused shall be released on anticipatory bail subject to the following conditions:

- 1) The petitioner-accused is directed to surrender before the Station House Officer, Mokila Police Station, Rangareddy District (Cyberabad Unit) within a period of 15 days from the date of this order. On such surrender, the said Station House Officer shall release the petitioner-accused on bail, on his executing a personal bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties for a like sum each to the satisfaction of the said Station House Officer.
- 2) The petitioner-accused shall abide by the conditions stipulated under Section 438(2) of Cr.P.C.

Miscellaneous applications, pending if any, shall stand closed.

Dated: 29.04.2024
dsv.

Dr. G.RADHA RANI, J

HONOURABLE Dr.JUSTICE G.RADHA RANI

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