

THE HONOURABLE DR.JUSTICE G. RADHA RANI

CRIMINAL PETITION No.4673 of 2024

ORDER:

This Criminal Petition is filed by the petitioner – A5 under Section 438 of Code of Criminal Procedure for grant of anticipatory bail in the event of his arrest in Crime No.192 of 2023 on the file of PS Konaraopet, Rajanna Sircilla District, registered for the offences punishable under Sections 386 and 506 read with Section 149 of IPC.

2. The case of the prosecution in brief was that on 22.09.2023 at 22:00 hours the Assistant Sub-Inspector of Police of PS Konaraopet lodged a report stating that when he went to his village Malkapeta to visit Ganesh pandals, one person by name Bhaskar Rao approached him with fear and stated that he was living in Hyderabad and some land was transferred in the name of his father by one Prabhakar Rao in the past. The said Prabhakar Rao purchased the said land from one Kasanagottu Gouraiah, Hanuman and some others of Sircilla to register to the Golla Caste community people of Suddala Village after dividing the land into parts and register in their favor. The said Prabhakar Rao stood as a middle man. In the meanwhile, the said Prabhakar Rao was killed by Janashakthi activists. In the said regard, a case was registered against Kura Rajanna, Manuka Kuntaiah and some others and they were put behind the bars.

Further his father Venugopal Rao had passed away due to ill health. The said Yadava Community people came to know that the land was in the name of Bhaskar Rao and approached him. He paid an amount of Rs.2,10,000/- to each of the nine members. But one Kashaveni Devaiah, Bollu Mallaiah and Kashaveni Devamallaiah requested to take money and demanded to register the land in their favor from their share. He also accepted to do the registration, but the same was delayed. In the meanwhile, A1 to A3 approached LW.2 Bhaskar Rao at Hyderabad and told him that they were sent by A4 Kura Rajanna and further informed him that the murder case of Prabhakar Rao came for trial against A4 Kura Rajanna and others. They approached A5 – Sandeep Rao, the son of Prabhakar Rao (the present petitioner herein) to compromise the murder case. Then Sandeep Rao promised to compromise the case but demanded to get register the land in his favor at any cost, which was registered in favor of Venugopal Rao by his father in the past. A1 to A3 threatened him to register the land in favor of Sandeep or else they would eliminate him at any point of time. Later, when he was at Malkapeta Village, knowing his arrival, the villagers of Suddala – Kashaveni Devaiah, Bollu Mallaiah and Kashaveni Devamallaiah approached him and forced him to register the land in their favor as promised earlier. Then, he informed them that he was threatened by A1, as such they left from there. On the next day, when he was at Malkapeta Village, A1 to A3 again came to him and enquired about their demand to register the land in favor

of Sandeep Rao, failing which they would kill him and told that it was ordered by A4 – Kura Rajanna and threatened that if he would reveal the matter to anyone and report to the police, he would be killed.

3. Basing on the said report, the above Crime was registered against A1 to A5.

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

5. Learned counsel for the petitioner submitted that as per the complaint, the other accused demanded Bhaskar Rao, who was the son of late Sri Venugopal Rao to transfer the property in the name of the petitioner only to pressurize the petitioner not to compromise in the murder case of the petitioner's father. The petitioner had nothing to do with the alleged offence. The police implicated his name only to make him give evidence in the Sessions Case in the murder of his father and prayed for grant of anticipatory bail to the petitioner.

6. Learned Additional Public Prosecutor opposed grant of anticipatory bail to the petitioner stating that as per the complaint, the petitioner was the proposed beneficiary and he demanded to get register the land in his favor for compromising the murder case of his father and opposed grant of anticipatory bail to the petitioner.

7. Perused the record.
8. Considering the contents of the complaint wherein the name of the petitioner was not stated as one of the persons who threatened Bhaskar Rao or extorted him to register the land in his favor and his name was shown as only the proposed beneficiary and as it was reported that the petitioner has to give his evidence in the Sessions Case and only on the apprehension that he might be turning hostile, the police had incorporated his name as A5 in the present case, it is considered fit to grant anticipatory bail to the petitioner – A5 on certain conditions.
9. In the result, the Criminal Petition is allowed and the petitioner – A5 is granted anticipatory bail subject to the following conditions:
 - (i) The petitioner – A5 is directed to surrender himself before the Station House Officer of PS Konaraopet, Rajanna Sircilla District within a period of (15) days from the date of this Order, and on such surrender, the SHO of PS Konaraopet, Rajanna Sircilla District shall release the petitioner – A5 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.
 - (ii) The petitioner – A5 shall comply with the conditions laid down under Section 438(2) of Cr.P.C.

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

Dr. G. RADHARANI, J

Date: 29th April, 2024
Nsk.