

THE HON'BLE SRI JUSTICE B. VIJAYSEN REDDY

**CRIMINAL PETITION Nos.5626, 5627, 5628, 5629 and
5630 of 2024**

ORDER: (ORAL)

Since all these criminal petitions arise out of the same crime, they are being disposed of by this common order.

2. These petitions are filed under Section 438 of the Criminal Procedure Code, seeking grant of anticipatory bail to the petitioners, who are Accused Nos.4, 2, 5, 3 and 1 respectively, in connection with Crime No.580 of 2024 on the file of the Station House Officer, Uppal Police Station, Rachakonda Commissionerate, registered for the offence punishable under Section 420 of the Indian Penal Code.

3. Heard learned counsel for the petitioners and learned Additional Public Prosecutor, representing the respondent-State. Perused the record.

4. The case of the prosecution in brief is that on 11.05.2024 a complaint was lodged by one Gorige Jagan, S/o.Mallaiah, stating that he and his brother Erra Narsimha, S/o.Late Sathaiah have jointly agreed to purchase 220 square yards of vacant land near Satya Nagar

Colony, Uppal Kalan Village, Uppal Mandal, Medchal-Malkajgiri District, from one Bangla Shekhar, S/o.Satyanarayana, R/o.Sainikpuri Colony, Kapra, and the said Bangla Shekhar agreed to sell the land for a consideration of Rs.1,40,80,000/-. They entered into agreement of sale dated 18.12.2023 and they paid Rs.35,20,000/- as advance on 18.12.2023; the *de-facto* complainant asked the said Bangla Shekhar for legal heir certificate, then he said that he would give it and later he sent fake document through *whatsApp*. The *de-facto* complainant took legal heir certificate and went to Mamidyala Village and on enquiry, he came to know that there are 18 legal heirs and he and his elder brother were deliberately cheated by Bangla Shekhar (A-1), Balla Balakrishna (A-2), Balla Balaram (A-3), Suresh Yadav (A-4) and Surender Reddy (A-5) and requested the Police concerned to take necessary action.

5. Learned counsel appearing for the petitioners submits that the allegations with regard to false legal heir certificate are vague and more over, the dispute, if any, between the parties is civil in nature. Hence, prayed to grant anticipatory bail to the petitioners.

6. As seen from the contents of the FIR, there is no allegation that the accused persons have fraudulently or dishonestly induced the *de-facto* complainant to enter into any transaction and caused loss to the *de-facto* complainant and his brother. The allegations with regard to false legal certificate are vague and unspecific. Further, the dispute between the parties is, *prima facie*, civil in nature.

7. Having regard to the above, this Court is inclined to grant anticipatory bail to the petitioners.

8. Hence, these Criminal Petitions are allowed and the petitioners/Accused Nos.4, 2, 5, 3 and 1 are directed to surrender before the Station House Officer, Uppal Police Station, within 15 days from the date of this order. On such surrender, the petitioners shall be released on bail on their executing a personal bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties for a like sum each to the satisfaction of the said Station House Officer. Further, on such release, the petitioners shall abide by the conditions as under:

1. The petitioners shall make themselves available for interrogation by the Police Officer concerned as and when required;

2. The petitioners shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any Police Officer;
3. The petitioners shall not leave India without the previous permission of the Court;
4. The petitioners 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.

Pending Miscellaneous Applications, if any, in these Criminal Petitions, shall stand closed.

B. VIJAYSEN REDDY, J

Date: 23.05.2024.

Note: Issue CC by tomorrow i.e. 24.05.2024.

B/o.
svl/ynk