IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

TUESDAY, THE SEVENTH DAY OF JANUARY,

TWO THOUSAND AND TWENTY FIVE

:PRESENT:

THE HONOURABLE SRI JUSTICE K SREENIVASA REDDY

CRIMINAL PETITION NO: 5980 OF 2024

Between:

Chintada Dileep Kumar, S/o. Anand, Aged about 37 years, Occ Licensed Technical Person/Structural Engineer, R/o.Flat No. 101, Eswar Pride, Road No.11, Magunta Layout, Nellore City, SPSR Nellore District.

...Petitioner/Accused A5

AND

State Of Andhra Pradesh, Rep. by Public Prosecutor, High Court of Andhra Pradesh At Amaravathi .

...Respondent

Petition under Section 438 of Cr.P.C praying that in the circumstances stated in the grounds filed in support of the Criminal Petition, the High Court may be pleased to enlarge the Petitioner/Accused A5 on bail in the event of his arrest in Cr. No. 107/2024 on the file of Dhargamitta Police Station, dated 19.07.2024 under Sections 120-B, 420, 467, 468, 471 r/w. 34 I.P.C

The petition coming on for hearing, upon perusing the Petition and the grounds filed in support thereof and upon hearing the arguments of Sri C SUBODH Advocate for the Petitioner and of Public Prosecutor for Respondent, the Court made the following.

ORDER:

APHC010373772024

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI **[3327]**
(Special Original Jurisdiction)

TUESDAY, THE SEVENTH DAY OF JANUARY
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SRI JUSTICE K SREENIVASA REDDY

CRIMINAL PETITION NO: 5980/2024

Between:

Chintada Dileep Kumar ...**PETITIONER/ACCUSED**

AND

State Of Andhra Pradesh ...**RESPONDENT/COMPLAINANT**

Counsel for the Petitioner/accused:

1.C SUBODH

Counsel for the Respondent/complainant:

1.PUBLIC PROSECUTOR

The Court made the following Order:

1. The Criminal Petition, under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023, is filed on behalf of the petitioner/accused No.5 to grant anticipatory bail in connection with Crime No.107 of 2024 of Dargamitta Police Station, Nellore District.

2. A case has been registered against the petitioner/accused No.5 and others for the offences punishable under Sections 120B, 420, 467, 468, 471 read with 34 I.P.C.

3. Case of the prosecution is that, on 19.07.2024, the Municipal Commissioner of Nellore Municipal Corporation, filed a report alleging that several mortgage deed releases had been processed without obtaining the requisite Occupancy Certificates from the Corporation. It is further alleged that the signatures of the former Municipal Commissioner and the informant were forged by Accused Nos. 1 to 5, resulting in the premature release of mortgage documents pertaining to over 70 building files, thereby causing financial discrepancies. Accused Nos. 6 and 7 are alleged to have conspired with Accused No. 5 to execute the said fraudulent scheme.

4. Heard. Perused the record.

5. On perusal of the material on record goes to show that the petitioner herein is a Licensed Technical Person. The job of the petitioner is only to process the building plans in respect of the files shown in the show cause notice dated 21.06.2024 issued by Municipal Commissioner, except file No.7 out of 9 files. He is not the employee of the Town Planning Section. He is a private person. The accusation is that the signatures of the Municipal Commissioner have been forged resulting which, mortgage documents pertaining to 70 building files have been released. It is alleged that the petitioner appears to have stated that he would take care of the things insofar as releasing of mortgage documents. Except the said

statement, there is absolutely no other material to imply the petitioner to the crime.

6. Learned Assistant Public Prosecutor further submits that in some of the 161 CrPC statement recorded by the Police, some of the witnesses also stated that the petitioner assured to take care with regard to the releasing of mortgage documents. Except said version, there no other material placed, as against the petitioner herein.

7. In view of the said reasons, this Court is inclined to grant anticipatory bail to the petitioner/accused No.5.

8. Accordingly, in the event of his arrest, petitioner/accused Nos.5 shall be released on bail on executing a personal bond for a sum of Rs.10,000/- (Rupees ten thousand only) each, with two sureties for the like sum each to the satisfaction of the arresting police officials and also on condition that the petitioner shall make himself available for investigation as and when required and that he shall not cause any threat, inducement or promise to the prosecution witnesses.

The petitioner shall appear before the Station House Officer, Dargamitta Poilce Station, once in a week i.e. on every Sunday between 10.00 a.m. and 05.00 p.m., till filing of the charge sheet.

9. Accordingly, the Criminal Petition is allowed.

Miscellaneous petitions, if any, pending, shall stand closed.

Sd/- SK. MD. RAFI
ASSISTANT REGISTRAR

//TRUE COPY//

For SECTION OFFICER

To,

1. The I Additional District & Sessions Judge, Nellore
2. The SHO, Dargamitta Police Station, Nellore
3. One CC to SRI. C SUBODH Advocate [OPUC]
4. Two CCs to Public Prosecutor, High Court of Andhra Pradesh [OUT]
5. One spare copy

HIGH COURT

SRK,J

DATED:07/01/2025

ANTICIPATORY BAIL ORDER

CRLP.No.5980 of 2024

ALLOWED

