

THE HONOURABLE SMT JUSTICE K. SUJANA

CRIMINAL PETITION No.2189 of 2025

ORDER:

The present Criminal Petition is filed praying this Court to grant anticipatory bail to the petitioners who are arrayed as accused Nos.3 and 5 in FIR No.837 of 2023 of Mailardevpally Police Station, registered for the offences punishable under Sections 419, 420, 467, 468, 471 r/w.120 (b) of Indian Penal Code.

2. The case of the prosecution is that on 26.12.2023, the complainant lodged a report before police stating that one late Prakasham had purchased plot No.517 through a registered sale deed. He died in the year 1999 and his wife died in the year 2013. It is further stated that in the month of January, 2023, when the legal heirs of late Prakasham visited the property, he found a building thereon and he came to know that A.1 in collusion with some unknown persons misappropriated and converted for his own use, by impersonating late Prakasham and fraudulently got executed agreement of sale – cum-GPA on 27.11.2011. A.1 to A.3 along with another

unknown person conspired together in impersonating, making signatures and executed the documents with a fraudulent intention, and requested to take necessary action against the accused. Basing on the said complaint police registered the case against the accused for the above offences.

3. Heard Sri S. Bhooma Goud, learned counsel for the petitioners and learned Additional Public Prosecutor appearing for the respondent-State

4. The contention of learned counsel for the petitioners is that as per FIR No.837 of 2023, A.3 is not shown as accused. The allegations against A.3 is that he is a witness to the document. Mere allegation against A.5 is that A.1 hatched a plan to grab the property, prepared a forged and fabricated document and also forged the signature of late Prakasham and the said document is in favour of A.5. There are no specific allegations against these petitioners. As such, prayed this Court to grant anticipatory bail to the petitioners.

5. On the other hand, learned Additional Public Prosecutor opposed bail stating that the petitioners in conspiracy with A.1

got the property registered. A.3 also acted as a witness to the document. As such prayed this Court to dismiss this petition.

6. Considering the submissions made by both the counsel and the material on record, crime is registered in the year 2023. A.2 was arrested on 28.01.2025, A.1 is still absconding and these petitioners are shown as absconding. Even according to the remand report the only allegation against these petitioners is that the petitioners in conspiracy with A.1 and A.2 colluded with each other and got executed a registered sale deed, whereas the specific allegations are against A.1. Considering the same, this Court deems it appropriate to grant bail to the petitioners subject to the following conditions:

- 1) The petitioners/A.3 and A.5 are directed to surrender before the Station House Officer, Mailardevpally Police Station, within two weeks from today, and on such surrender, the said Station House Officer shall release the petitioners/A.3 and A.5 on pre-arrest bail on executing a personal bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) each with two sureties for a like sum each to his satisfaction.

- 2) On such release, petitioners/A.3 and A.5 shall appear before the concerned police as and when required for the purpose of investigation.
 - 3) The petitioners/A.3 and A.5 shall abide by the other conditions stipulated in Section 482(2) of Bharatiya Nagarik Suraksha Sanhita, 2023 and shall co-operate with the Investigating Officer in investigating the case.
7. Accordingly, the Criminal Petition is allowed.

Miscellaneous applications, if any pending, shall stand closed.

K. SUJANA, J

Date: 27.02.2025
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