

THE HONONOURABLE SRI JUSTICE J. SREENIVAS RAO

CRIMINAL PETITION No.2787 of 2025

ORDER:

This Criminal Petition is filed under Section 482 of Bharatiya Nagarik Suraksha Sanhitha, 2023 (for short 'BNSS') seeking anticipatory bail to the petitioner/accused No.1 in Crime.No.1525 of 2024 on the file of the P.S. Hayathnagar, Rachakonda, registered for the offences punishable under Sections 419, 420, 467, 468 and 471 r/w 34 of Indian Penal Code, 1960 (for short 'IPC').

2. The case of prosecution in brief is that the petitioner along with other accused cheated the *de-facto* complainant by selling her plot to Usha Kiran Movies, by forging her signature. Basing on the same a case was registered in Crime No.1525 of 2024.

3. Heard Sri P.Vamsheedhar Reddy, learned counsel for petitioner and Mr.Syed Yasar Mamoon, learned Additional Public Prosecutor for the respondent-State.

4. Learned counsel for petitioner submitted that petitioner has not committed alleged offence and he was falsely implicated in the above crime. He further submitted that petitioner is the bonafide purchaser of the property and the allegations levelled against the petitioner are purely civil in nature. He further submitted that initially the crime was registered under Sections 419, 420, 468 and 471 r/w 34 of IPC and the punishment prescribed for the said offences is less than seven (07) years and only with an intention to harass the petitioner, Section 467 of IPC was included. He further submitted that petitioner is not involved in any other crimes and he is ready to cooperate with the investigation and also ready to abide the conditions, which are going to be imposed by this Court and hence, prayed for grant of bail.

5. *Per contra*, learned Additional Public Prosecutor submitted that specific allegations are leveled against the petitioner/accused No.1 and investigation is under progress and if the petitioner/accused No.1 is released on bail at this stage, he may tamper with the evidence and may threaten the witnesses, and hence, prayed to dismiss the petition.

6. Having considered the rival submissions made by the respective parties and after perusal of the material available on record, it reveals that the specific claim of the petitioner is that he is a bonafide purchaser and he is not involved in any other crimes. The record further discloses that initially the crime was registered under Sections 419, 420, 468 and 471 r/w 34 of IPC and the punishment prescribed for the said offences is less than seven (07) years and subsequently included Section 467 of IPC.

7. Taking into consideration of the above facts, this Court is of the considered view that petitioner/accused No.1 is entitled for grant of anticipatory bail, subject to the following conditions:

1. The petitioner/accused No.1 shall surrender before the Station House Officer of P.S. Hayathnagar, Ranga Reddy District, on or before 18.03.2025, and on such surrender, the said Station House Officer shall release the petitioner/accused No.1 on bail on his executing a personal bond for Rs.50,000/- (Rupees Fifty Thousand only) with two sureties, for the like sum each.
2. The petitioner/accused No.1 shall abide by the other conditions stipulated in Section 482 (2) Bharatiya Nagarik Suraksha Sanhitha, 2023 and co-operate with the Investigating Officer in investigating the case.

8. Accordingly, the Criminal Petition is allowed.

Miscellaneous applications, pending if any, shall stand closed.

JUSTICE J.SREENIVAS RAO

Date: 13.03.2025
vsl