

THE HON'BLE SRI JUSTICE J. SREENIVAS RAO

CRIMINAL PETITION No. 3933 of 2025

ORDER:

This Criminal Petition is filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short, 'BNSS') by the petitioner, who is arrayed as accused No.10, seeking anticipatory bail in Crime No.248 of 2025 of Keesara Police Station, Rachakonda Commissionerate, registered for the offence punishable under Sections 419, 420, 467, 468, 471 and 120(b) of IPC.

2. Heard Sri Veera Babu Gandu, learned counsel for the petitioner and Sri Syed Yasar Mamoon, learned Additional Public Prosecutor appearing for respondent-State.

3. The case of prosecution in brief is that on 15.03.2025 at 17-00 hours the *de-facto* complainant lodged a complaint with the police stating that he purchased a plot No. 58, admeasuring 311 square yards in Survey Nos. 404 and 405, Srinivas Nagar, Rampally, *vide* Document No. 4262 of 1981 and granite stones were used to mark the boundary of the plot. On 02.04.2013, he paid the full Layout Regularization Scheme (LRS) fee and obtained regularization for the plot. He visited the plot every six

months to check its status. However, in 2024, he could not visit the same, as he was away from Hyderabad. Later, on 11.02.2025, when he visited the plot, he found that a precast wall had been built, and a board was erected stating that the plot belonged to Shiva and it was not for sale. Upon verifying the situation, he checked the IGRS Telangana App and discovered that four transactions took place in the year 2024. The plot, which was originally 311 square yards, was shown as 350 Sq Yards. One Syed Aleem, a resident of Lalapet, Secunderabad (currently residing at C-172/1, Vinoba Nagar, Lalapet, Secunderabad), had used a fake sale deed registered under Document No. 4260 of 1981 to sell the plot to Sri Mamidala Anjaneyulu on 16.04.2024, with the total plot size being 350 Sq Yards. Subsequently, Sri Mamidala Anjaneyulu, son of Yadaiah, resident of 1-157/49, Patel Gudem, Alair, Yadgir-Bhongir District, sold 175 Sq Yards of the plot to Smt. T.V. Kamala Devi Boddu, w/o Sita Rama Raju Boddu, r/o Flat-303, Road No.1, Sri Brahma Enclave, Bandari Layout, Nizampet, on 21.06.2024. The balance 175 square yards was sold to Choppavarapu Shiva, S/o Late Krishna, resident of 1.1.29/6/20, Sailok Colony, Jammigadda, Kapra, ECIL Post, Hyderabad-62, on 02.09.2024, *vide* Document No. 6932/2024.

Then Choppavarapu Shiva deposited Document No.6932 of 2024 with IDFC First Bank Limited, Begumpet and obtained a loan of Rs.50 lakhs. Basing on the said complaint, a case in Crime No.248 of 2025 was registered against the petitioner and other accused persons for the said offences.

4. Learned counsel for the petitioner submitted that the petitioner has not committed the alleged offence and he has been falsely implicated in the present crime. He further submitted that the ingredients of the offence punishable under Sections 419, 420, 467, 468, 471 and 120(b) of IPC are not attracted to the petitioner. Even according to the allegations made in the complaint and as per the remand case diary, the petitioner stood as a witness to the document, which was executed by M.Anjaneyulu in favour of accused No.5. The petitioner is ready and willing to cooperate with the investigation and he will abide by the conditions, which are going to be imposed by this Court. Therefore, prays to grant anticipatory bail to the petitioner.

5. *Per contra*, learned Assistant Public Prosecutor submitted that investigation is not yet completed. If the petitioner is granted anticipatory bail, there is a chance to interfere with the

investigation and to influence the witnesses. Therefore, the petitioner is not entitled for grant of anticipatory bail.

6. Having considered the rival submissions made by the respective parties and after perusal of the material available on record, it reveals that the petitioner is arrayed as accused No.10 and the only allegation against the petitioner is that he stood as a witness to the document, which was executed one M.Anjaneyulu. According to the learned Additional Public Prosecutor, the petitioner is not involved in any other case. Taking into consideration the above facts and circumstances, this Court is inclined to grant anticipatory bail to the petitioner/accused with the following conditions:

- (i) Petitioner/accused No.10 is directed to surrender before the S.H.O., Keesara P.S. on or before 02.04.2025 and on such surrender, he shall be enlarged on bail on his executing a personal bond for a sum of Rs.20,000/-(Rupees Twenty thousand only), with two sureties for a like sum each to his satisfaction.
- (ii) On such release, petitioner/accused No.10 shall appear before the S.H.O., Keesara Police Station on every Monday at 11-00 a.m., for a period of eight (8) weeks or till filing of the charge sheet, whichever is earlier and thereafter, as and when required.

- (iii) Petitioner/accused No.10 shall abide by the conditions stipulated under Section 482(2) of BNSS and shall cooperate with the Investigating Officer in the investigation.
- (iv) Petitioner/accused No.10 shall not interfere with the investigation or influence the witness.

7. Accordingly, the Criminal Petition is allowed.

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

JUSTICE J.SREENIVAS RAO

Date: 26.03.2025
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