

THE HONOURABLE SRI JUSTICE J. SREENIVAS RAO

CRIMINAL PETITION No.5752 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.2 in Crime No.180 of 2025 on the file of the P.S.Peddapalli, Ramagundam District, registered for the offences punishable under Sections 420, 409, 464 and 467 of IPC.

2. The case of the prosecution is that on 17.04.2025, the complainant lodged a complaint, stating that the deceased had purchased a plot admeasuring 309 sq. yards in Survey No. 694, located at Bhoomnagar, Peddapalli, under Document No. 251/2009. He passed away on 19/08/2016. After his death, his daughter, accused No.1 in collusion with her mother accused No.2 illegally obtained a Release Deed (Doc No. 4790/2019) by falsely declaring accused No.1 as the sole legal heir, while concealing the existence of the deceased's son, accused No.3. Subsequently, accused No.3, in collusion with accused No.5, submitted a

fabricated death certificate of accused No.2. Based on these false records, accused No.3 fraudulently sold the property to accused No.4 through Document No. 696/2021, by falsely claiming to be the sole legal heir. The accused parties misled the Sub-Registrar, Peddapalli, and committed cheating, forgery, impersonation, and misappropriation by using fabricated documents with the intent to illegally transfer and benefit from the property. Basing on the same a case was registered in Crime No.180 of 2025.

3. Heard Mr.Krishna Kalyan, learned counsel representing Ms.A.Rupa Devi, 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 she was falsely implicated in the above crime. He further submitted that the petitioner filed application before the complainant in the month of April, 2025, stating that her son executed her death certificate and sold her property to accused No.3 and requested him to take appropriate steps to correct the revenue entries in respect of the subject

property and the complainant without taking into consideration the above application, implicated the petitioner in the present crime and the ingredients of the alleged offences are not attracted against the petitioner. He further submitted that the petitioner is women, aged about 63 years and suffering with old age ailments and she is not having any other criminal antecedents and she is ready and willing to cooperate with the investigation and also abide by the conditions, which are going to be imposed by this Court, and hence, prayed for grant of anticipatory bail.

5. *Per contra*, learned Additional Public Prosecutor submitted that petitioner has committed grave offence and the investigation is under progress and at this stage if the petitioner is enlarged on anticipatory bail, there is every chance to interfere with the investigation and also influence the witness. Hence, prayed to dismiss the petition.

6. Having considered the rival submissions made by respective parties and after perusal of the material available on record, it reveals that petitioner filed application before the complainant requesting him to take appropriate steps for correction of revenue

entries in respect of plot admeasuring 309 sq. yards in Survey No. 694, located at Bhoomnagar, Peddapalli. However, basing upon the complaint lodged by the complainant, the present crime was registered. The record further discloses that the petitioner is women and aged about 63 years. Even according to the learned Additional Public Prosecutor, petitioner is not having any other criminal antecedents.

7. Taking into consideration the above peculiar facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner/accused No.2 subject to the following conditions.

1. The petitioner/accused No.2 shall surrender before the Station House Officer of P.S.Peddapalli, Ramagundam District, on or before 06.05.2025, and on such surrender, the said Station House Officer shall release the petitioner/accused No.2 on bail on her executing a personal bond for Rs.25,000/- (Rupees twenty five Thousand only) with two sureties, for the like sum each.
2. After release, the petitioner/accused No.2 shall appear before the concerned SHO at 11.00 A.M. on every Monday, for a period of eight (8) weeks or till filing

of charge sheet whichever is earlier, for the purpose of investigation and thereafter, as and when required.

3. After release, the petitioner/accused No.2 shall not influence the witnesses or interfere with the investigation.
 4. The petitioner/accused No.2 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: 01.05.2025
vsl