

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.13038 of 2025

This Criminal Petition is filed before this Court for grant of pre-arrest bail to the Petitioner who is arrayed as accused No.2 in FIR No.1638 of 2025 of Madhapur Police Station, Cyberabad Commissionerate, registered for the offences punishable under Sections 316(2), 318(4), 338, 336(3), 340(2), 308(2), r/w 3(5) of BNS.

2. The brief facts of the case are that, on 28.08.2025, the de-facto complainant lodged a report before the police, wherein he stated that there are business transactions between the petitioner and him and the de-facto complainant purchased the property in the year 2018 and the documents filed by the petitioner along with the suit, a Memorandum of Understanding was filed with the de-facto complainant's signature, which is a fake signature that was forged by the petitioner and the de-facto complainant has never signed any sort of Memorandum of Understanding. It is further stated that the petitioner has extorted him by using fabricated documents with a forged signature, which amounts to cheating and criminal breach of trust. Hence,

the complainant requested to take necessary action. Basing on the said complaint, the police registered a case for the above said offences.

3. Heard Sri Nageshwar Rao Pujari, learned counsel appearing on behalf of the petitioner as well as Sri Arun Kumar Doddla, learned Additional Public Prosecutor appearing on behalf of the respondent - State.

4. Learned counsel for the petitioner submitted that there is no such forgery of Memorandum of Understanding and he never cheated the de-facto complainant. It is further submitted that the petitioner has filed suits in I.A.No.540 of 2025 in O.S.No.507 of 2025 and I.A.No.541 of 2025 in O.S.No.507 of 2025 and O.S.No.517 of 2025 and he filed the documents before the trial Court and based on the said documents, the trial Court had granted Ad-Interim Injunction. It is further submitted that, instead of, filing counter affidavit before the trial Court, the de-facto complainant lodged a report before the police. It is further submitted that, whatever the documents are filed, he requested to send the same to the expert opinion.

Therefore, he prayed the Court to grant pre-arrest bail to the petitioner by allowing this criminal petition.

5. On the other hand, learned Additional Public Prosecutor opposed the submissions made by the learned counsel for the petitioner stating that the allegations leveled against the petitioner are serious in nature. It is further submitted that it is a huge property involved in this case. As such, custodial interrogation is required for further investigation. Therefore, he prayed the Court to dismiss the criminal petition.

6. In the light of the submissions made by both the learned counsel and upon perusal of the material available on record, it appears that the only allegation against the petitioner is that he forged the Memorandum of Understanding and the de-facto complainant is not a signatory to the said Memorandum of Understanding and he filed suits before the trial Court and the trial Court had granted Ad-Interim Injunction. Considering the facts and circumstances of the case, this Court deems it fit to grant

pre-arrest bail to the petitioner/accused No.2, subject to the following conditions:

- i. The petitioner/Accused No.2 shall surrender before the Station House Officer, Madhapur Police Station, Cyberabad Commissionerate, within two weeks from today, and on such surrender, the said Station House Officer shall release him on bail, on petitioner executing a personal bond for Rs.25,000/- (Rupees Twenty Five Thousand only), with two sureties, for the like sum each.
- ii. The petitioner/Accused No.2 shall abide by the other conditions stipulated in Section 482(2) of Bharatiya Nagarik Suraksha Sanhita, 2023 and co-operate with the Investigating Officer in investigating the case.

- iii. The petitioner/Accused No.2 shall appear before the concerned Investigating Officer on every Monday between 09:00 a.m, and 05:00 p.m., till the filing of the charge sheet and thereafter, as and when required.

7. Accordingly, the Criminal petition is allowed.

Miscellaneous applications, if any pending, shall stand closed.

Date: 16.10.2025
TU

K. SUJANA, J

THE HONOURABLE SMT JUSTICE K. SUJANA

CRIMINAL PETITION No.13038 of 2025

Date: 16.10.2025

TU