

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.16060 of 2024

ORDER:

This Criminal Petition is filed under section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of pre-arrest bail to the petitioner who is arrayed as accused No.1 in Crime No.262 of 2024 of Karimnagar III Town Police Station, Karimnagar.

2. The brief facts of the case are that due to health issues, the *de-facto* complainant went to her parents house and during her absence, the accused persons transferred ownership to themselves through execution of forged gift deed by impersonating the *de-facto* complainant. When the *de-facto* complainant requested to restore the property, the accused persons besides refusing her request, also threatened her with dire consequences. Hence, a case was registered vide Crime 262 of 2024 of Karimnagar III Town Police Station, Karimnagar, for the offences punishable under Sections 419, 465, 467, 468 read with 34 IPC.

3. Heard Sri K.Karunakar, learned counsel appearing on behalf of the petitioner as well as Sri Syed Yasar Mamoon,

learned Additional Public Prosecutor appearing on behalf of the respondent.

4. Learned counsel for the petitioner *firstly* submitted that the petitioner is innocent and he is no way concerned with the alleged offences. He *secondly* submitted that the *de-facto* complainant filed Civil Suit, in that she stated that her late husband has forged the documents and registered in the name of three sons and she never stated about the petitioner in the suit. He *thirdly* submitted that the petitioner is old aged lady suffering with old age ailments and unable to move from the bed. He *lastly* submitted that the petitioner is resident of Tirumalagiri, Hyderabad District, with movable and immovable properties, and is willing to furnish sureties as directed and prayed the Court to grant of anticipatory 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 accused person forged the sale deed and allegation leveled against the petitioner is serious in nature and the investigation is not yet completed and therefore, granting anticipatory bail to the petitioner, at this

stage, does not arise. Hence, he prayed the Court to dismiss the criminal petition.

6. After considering submissions from both the parties and material available on record, it is apparent that accused No.2, husband of the *de-facto* complainant, who is the main accused in the alleged offences, died in the year 2021. It is pertinent to note that material part of investigation investigation is completed. Therefore, considering the facts and circumstances of the case, this Court is of the considered view that it is a fit case for granting of anticipatory bail to the petitioner.

7. Accordingly, this petition is allowed granting anticipatory bail to the petitioner subject to the following conditions:

- i. The petitioner shall surrender before the Station House Officer of P.S.Karimnagar III Town, within two weeks from today, and on such surrender, the said Station House Officer shall release him on bail on executing a personal bond for Rs.25,000/- with two sureties, for the like sum each.

- ii. The petitioners shall appear before the concerned Station House Officer on every Monday between 9:00 A.M. to 5:00 P.M., for a period of eight (08) weeks or till filing of charge sheet whichever is earlier.
- iii. The petitioner shall abide by the other conditions stipulated in Section 482(2) of Bharatiya Nagarik Suraksha Sanhita, 2023.

Miscellaneous applications, if any pending, shall stand closed.

K. SUJANA, J

Date: 02.01.2025

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