



IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

**TUESDAY, THE NINTH DAY OF MAY
TWO THOUSAND AND TWENTY THREE**

:PRESENT:

**THE HONOURABLE SRI JUSTICE K SREENIVASA REDDY
CRIMINAL PETITION NO: 2766 OF 2023**

Between:

1. Katta Sulochana, d/o K. Venkatramana, Hindu, aged about 43 years, 3-146-3-D-9, Ramareddy Layout, Market Yard, Gali Machine, Madanapalle, Annamayya District.
2. Molakalacheruvu Govindu, s/o Ramachandra, Hindu, aged about 45 years, Vinayaka Street, Anapagatta, Madanapalle, Annamayya District.
3. Gundigalla Mohan, s/o Venkatramana, Hindu, Aged about 43 years, Door No.1/1124/3E2, Adapala Street, Kadiri, Anantapuram District.
4. D. Bhaskar, s/o Dandi Venkatamallu, Hindu, Aged about 37 years, Door No.3-146-3-0-2, Kummaraveedhi, Madanapalle, Annamayya District.

Petitioners/Accused Nos.1,2, 4 & 5

AND

The State Of Andhra Pradesh, rep., by its Public Prosecutor, High Court of Judicature, Amaravathi.

Respondent

Petition under Section 438 of Cr.P.C, praying that in the circumstances stated in the memorandum of grounds filed in support of the Criminal Petition, the High Court may be pleased to enlarge the petitioner/accused No.3 on bail in Crime No.58 of 2023 of Madanapalle II Town Polices Station, Madanapalle, Annamayya District in the event of his arrest, pending investigation and trial.

COUNSEL FOR THE PETITIONER : SRI MAHADEVA KANTHRIGALA

COUNSEL FOR THE RESPONDENT : PUBLIC PROSECUTOR

THE COURT MADE THE FOLLOWING ORDER

THE HON'BLE SRI JUSTICE K. SREENIVASA REDDY

CRIMINAL PETITION NO.2766 OF 2023

ORDER:-

The Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973, is filed on behalf of the petitioners/A1, A2, A4 and A5 to grant anticipatory bail in connection with Crime No.58 of 2023 of Madanapalle II Town Police Station, Annamayya District.

2) A private complaint has been filed against the petitioners and others and the same is referred to police under Section 156(3) Cr.P.C. After conducting enquiry, a case has been registered against the petitioners and others for the offences punishable under Sections 109, 120b, 167, 416, 420, 465, 468 IPC.

3) Brief facts of the case are that, prior to 10.04.2023, A1 to A6 colluded together and got created a fake GPA dated 03.02.2023 bearing document No.719/2023; by forming into an unlawful assembly, by forging the signatures of the complainant without his knowledge and consent by way of impersonation and cheated the complainant.

4) Heard. Perused the record.

5) A perusal of material on record goes to show that, there is a dispute between the *de facto* complainant and the accused and that they know each other since long time and they

entered into an agreement to carry on business together. Accordingly, they were doing business since long time. While so, a dispute arose between them in connection with that and number of suits has been filed against each other. It is alleged that all the accused colluded each other and got prepared a forged and fabricated GPA (General Power of Attorney) by impersonating in favour of A1 and property has been registered in favour of them. In respect of same, one private complaint has been filed and the same was referred to police under Section 156(3) Cr.P.C. A perusal of entire material on record it appears that, since number of suits are pending against each other, the dispute is predominantly civil in nature.

6) In view of the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners.

7) Accordingly, 1st petitioner shall surrender before the concerned police officials within a period of two (2) weeks from the date of receipt of copy of this order and on such surrender, 1st petitioner shall be released on bail on executing a personal bond for a sum of Rs.10,000/- (Rupees ten thousand only), with two sureties for the like sum to the satisfaction of the arresting police officials and also on condition that the petitioner shall herself available for investigation as and when required and that she shall not cause any threat, inducement or promise to the prosecution witnesses.

The 1st petitioner shall appear before the concerned Deputy Superintendent of Police who is investigation Officer, on every alternative day i.e., on Tuesday, Thursday and Friday between 10.00 a.m. and 01.00 p.m., till filing of the charge sheet and she shall cooperate with the investigation being done by the police agency.

In respect of petitioners 2 to 4, in the event of their arrest in the aforesaid crime, the petitioners 2 to 4 shall be released on bail on each of them executing a personal bond for a sum of Rs.10,000/- (Rupees ten thousand only), with two sureties for the like sum to the satisfaction of the arresting police officials within and also on condition that they shall themselves available for investigation as and when required and that they shall not cause any threat, inducement or promise to the prosecution witnesses.

The petitioners 2 to 4 shall appear before the Station House Officer, concerned, once in a week i.e., on every Friday, between 10.00 a.m. and 01.00 p.m., till filing of the charge sheet.

8) Accordingly, the Criminal Petition is allowed.

Consequently, miscellaneous applications pending, if any, shall stand closed.

Sd/- M. SRINIVAS
ASSISTANT REGISTRAR

//TRUE COPY//

For, SECTION OFFICER

To,

1. The S.H.O, Madanapalle II Town Polices Station, Madanapalle, Annamayya District
2. One CC to Sri Mahadeva Kanthrigala Advocate [OPUC]
3. Two CCs to Public Prosecutor, High Court of AP [OUT]
4. One spare copy



HIGH COURT

SRKJ

DATED:09/05/2023

BAIL ORDER

CRLP.No.2766 of 2023

ALLOWED

