



IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATHI
TUESDAY, THE TWENTY FIFTH DAY OF APRIL
TWO THOUSAND AND TWENTY THREE

:PRESENT:

THE HONOURABLE SRI JUSTICE K SREENIVASA REDDY
CRIMINAL PETITION NO: 2773 OF 2023

Between:

✓ Sairaju Rahul, S/o. Ashok Raju, Aged about 21 years, 08, 2nd Cross, Kernpaiah Layout, Near Ayyappa Temple, Cholanayakanahalli, Bangalore North, Karnataka State.

Petitioner/Accused-2

AND

The State of Andhra Pradesh, Rep. by its Public Prosecutor, High Court Buildings, Amaravathi.

Respondent/Complainant

Petition under Section 438 of Cr.P.C, is filed 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 on bail in the event of his arrest in Crime No. 6 of 2023 on the file of S.R. Puram, SPSR Nellore District in the interest of justice.

The petition coming on for hearing, upon perusing the Petition and the memorandum of grounds filed in support thereof and upon hearing the arguments of Sri RAJA REDDY KONETI Advocate for the Petitioner and of PUBLIC PROSECUTOR (AP) for the Respondent, the Court made the following

HON'BLE SRI JUSTICE K. SREENIVASA REDDY

Criminal Petition No.2773 of 2023

Order:

This Criminal Petition, under Section 438 of Cr.P.C., has been filed by the petitioner/A-2, seeking anticipatory bail, in connection with Crime No.6 of 2023 of S.R. Puram Police Station, SPSR Nellore district, registered for the offences punishable under Sections 124(a), 182, 188, 419, 420, 427, 447, 467, 471, 472 read with 34 IPC.

2. Case of the prosecution, in brief, is that, prior to 11.05.2023 the complainant purchased an extent of 6 Ankanams house site in Survey No.46/21 situated at Jayapuram village, SR Puram Mandal, from one Sairaju Venkata Subbaraju under an unregistered sale deed for valuable consideration of Rs.2,00,000/- and later accused Nos.1 and 2 colluded together and forged the documents and same were submitted to the Sub-Registrar and changed the documents on their names. A1 and A2 trespassed into the house of the complainant and encroached the same.

3. Heard. Perused the material on record.

4. On a perusal of the material on record goes to show that A1 is alleged to have registered the subject property belonged to the complainant in the name of his son i.e. A-2. There is a dispute with regard to title of the said property and in respect of that the

complainant approached the Station House Officer, S.R. Puram Police Station, on 05.12.2022 and the Station House Officer refused to receive the complaint on the ground that the matter pertaining to the dispute between the de facto complainant and accused is civil in nature. In view of the said reason, the complainant has resorted in filing the present complaint before the Judicial Magistrate of First Class, Udayagiri and the same was referred to the police under Section 156(3) Cr.P.C.

5. In view of the aforesaid facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner herein on the following conditions.

i) In the event of arrest of the petitioner herein in the aforesaid crime, he shall be enlarged on bail on his executing personal bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties of the like sum each to the satisfaction of the concerned Arresting Officer.

ii) Petitioner shall make himself available for interrogation by a police officer as and when required, and he shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer.

iii) Petitioner shall attend before the Station House Officer concerned once in a month i.e. on 1st Sunday of every month between 10.00 AM and 01.00 PM till filing of charge sheet.

6. Accordingly, the Criminal Petition is allowed.

Sd/- S. SRINIVASA PRASAD
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Judicial Magistrate of I Class, Udayagiri, Nellore District.
2. The Station House Officer, S.R. Puram Police Station, SPSR Nellore District.
3. One CC to SRI. RAJA REDDY KONETI Advocate [OPUC]
4. Two CCs to PUBLIC PROSECUTOR (AP), High Court of Andhra Pradesh.

[OUT]
5. One spare copy

ER

HIGH COURT

SRKJ

DATED:25/04/2023

ANTICIPATORY BAIL ORDER

CRLP.No.2773 of 2023

ALLOWED

