

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



:PRESENT:

THE HONOURABLE SRI JUSTICE K SREENIVASA REDDY
CRIMINAL PETITION NO: 3021 OF 2023

Between:

Shaik Nasir, s/o Shaik Abdul Razak, Muslim, 52 years, Occ- Sub-Registrar,
Pulivendula Sub-Registration Office, YSR Kadapa District.

Petitioner/Accused No.6

AND

The State of A.P., 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 grounds filed in support of the Criminal Petition, the High Court may be pleased to enlarge the petitioner/accused No.6 on bail in Crime No:130 of 2023 of Madanapalle Rural Polices Station, Madanapalle, Annamayya District in the event of his arrest.

COUNSEL FOR THE PETITIONER: SRI K SRINIVASA PRASAD

COUNSEL FOR THE RESPONDENT: PUBLIC PROSECUTOR

**THE CORT MADE THE FOLLOWING
ORDER:**

THE HON'BLE SRI JUSTICE K. SREENIVASA REDDY**CRIMINAL PETITION NO.3021 OF 2023****ORDER:-**

The Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973, is filed on behalf of the petitioner/A6 to grant anticipatory bail in connection with Crime No.130 of 2023 of Mandanapalle Rural Police Station, Annamayya District.

2) A case has been registered against the petitioner and others for the offences punishable under Sections 467, 109, 119, 120b, 474, 167, 416, 420, 465, 468 r/w 34 IPC.

3) Brief facts of the case are that, on 21.04.2023 at 09.30 P.M., the defacto complainant lodged report stating that A2 who is follower of A1 was sent to the defacto complainant with a preplan to purchase plot in his name. As per their plan, the A2 approached the defacto complainant and purchased Plot No.36 in Sy.No.420/10, but since the same was not registered at Sub-Registrar Office, Madanapalle, A2 induced the defacto complainant and took him to Sub-Registrar Officer at Pakala and got registered the said plot in his name on 27.01.2023 vide document No.628/2023. Thereafter, in the absence of complainant, A1 and A2 colluded with A5 who is working as Sub-Registrar, Pakala and their staff i.e., A7, A8 and A9, got prepared a forged and fabricated GPA (General Power of Attorney) by impersonation in favour of A1 and registered the same as document No.629/2023 on the same day by placing another

person. Basing on the said GPA, A1 colluded with A3 and A4 and got registered the said property in their favour with the assistance of A10 to A12, vide document No.881/2023 on 15.02.2023 and that all the accused with criminal conspiracy cheated the complainant with an intention to knock away the properties belonging to complainant without his knowledge and consent.

4) Heard. Perused the record.

5) A perusal of material on record goes to show that, there is a dispute between the defacto 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 on 27.01.2023, A1 and A2 colluded with the A5 who is working as Sub-Registrar, Pakala and their staff i.e., A7, A8 and A9, 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 vide document No.629/2023. The A1 has colluded with the staff of Sub-Registrar Office, Pakala, i.e., A6 and others created a forged and fabricated document vide document No.881/2023 on 15.02.2023 and all of them together cheated the defacto complainant. 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 petitioner.

7) Accordingly, in the event of his arrest in the aforesaid crime, the petitioners 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 himself be available for investigation as and when required and that he shall not cause any threat, inducement or promise to the prosecution witnesses.

The petitioner 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/- U. SRI DEVI
ASSISTANT REGISTRAR

SECTION OFFICER

//TRUE COPY//

To,

1. The Station House Officer, Madanpalle Rural Police Station, Madanpalle, Annamayya District.
2. One CC to SRI. K SRINIVASA PRASAD Advocate [OPUC]
3. Two CCs to Public Prosecutor, High Court of A.P. [OUT]
4. One spare copy

npc



HIGH COURT

SRKJ

DATED:09/05/2023

BAIL ORDER

CRLP.No.3021 of 2023

ALLOWED

