

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATHI

MONDAY, THE TWENTY FIRST DAY OF APRIL
TWO THOUSAND AND TWENTY FIVE

:PRESENT:

THE HONOURABLE SRI JUSTICE T MALLIKARJUNA RAO

CRIMINAL PETITION NO: 3680 OF 2025



Between:

Potluri Raja Sree, W/o Raghavendra Rao, Aged about 60 years, Occ. House wife, R/o Plot Nos. 32 & 33, Lakshmi Durga Enclave, Miyapur, Hyderabad, Ranga Reddy District.

...Petitioner/Accused No.2

AND

The State of Andhra Pradesh, Rep. by its Public Prosecutor, High Court Judicature of A.P., At Amaravathi, Through The S.H.O., Gannavaram UP P.S. Krishna District.

...Respondent/Complainant

Petition under Section 482 of BNSS, 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.2 on anticipatory bail in the event of her arrest in connection with Crime No.331/2023 of Gannavaram UP P.S., Krishna District.

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 HARINADH NIDAMANURI Advocate for the Petitioner, and of PUBLIC PROSECUTOR, for the Respondent;



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AT AMARAVATI
(Special Original Jurisdiction)

[3369]

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Between:

Potluri Raja Sree

...PETITIONER/ACCUSED

AND

The State Of Andhra
Pradesh

...RESPONDENT/COMPLAINANT

Counsel for the Petitioner/accused:

1. HARINADH NIDAMANURI

Counsel for the Respondent/complainant:

1. PUBLIC PROSECUTOR

The Court made the following: **ORDER:-**

This Criminal Petition has been filed by the petitioner/A2,
seeking anticipatory bail, in connection with Crime No.331 of
2023 of Gannavaram UP Police Station, Krishna District.

2. A case has been registered against the petitioner herein
and others for the offence punishable under Sections 420, 463,
464, 465, 467, 468, 471, 506, 120(B) r/w 34 of IPC.

3. The brief facts of the case are that the incident occurred
prior to 08.07.2023 at SRO Gannavaram, Gannavaram Village

and Mandal and reported on 08.07.2023 at 11.00 hours that the defacto complainant stated that he possess a land to an extent of Ac.0-65 cents in R.S.No.221/5 of Gannavaram, he acquired the property through relinquishment deed vide Doc.No.5738 of 2005, dated 29.12.2005 of SRO Gannavaram executed by his mother and brother. On 12.05.2023, one Kongara Jaya Sree applied to Tahsildar, Gannavaram for issuing pattadar pass book etc in her favour with regard to the property in an extent of Ac.0-43 cents out of complainant's property by producing a registered Will said to have been executed by one Kambampati Konda Ramaiah stating that he bequeathed the property in an extent of Ac.0-43 cents in R.S.No.221/5, with the interest to Prabhakar Rao and vested reminder to Jaya Sree, Jaya Sree mentioned that the said Will was registered by the Kodanda Ramaiah as Doc.No.39/2001 of SRO Gannavaram, on verifying the complainant came to know that Doc.No.39/2001 of SRO Gannavaram was executed by one Kodali Uma Maheswara Rao of Purushotapatnam. Later he came to know that the respondents conspired together to grab the property of the complainant by creating Will by forging the thumb impression of Kodanda Ramaiah in fraudulent way and registered in Doc.No.39/2001. Hence, he approached the Hon'ble Court to

take necessary action against Kongara Jaya Sree, Potluri Raja Sree, Kambampati Jagadeesh Babu, Kambampati Chandra Sekhara Rao, Kongara Vijaya Kumar and basing on the Court endorsement the case is registered.

4. Heard. Perused the record.

5. Learned counsel for the petitioner submits that, even according to the contents of the private complaint, particularly paragraph No.4, it is clearly stated that on 12.05.2023, A1 applied to the Tahsildar, Gannavaram, for issuance of a pattadar passbook based on a registered Will dated 02.06.2001, allegedly executed by one Kambampati Kodanda Ramaiah, the father of A1 to A3. The learned counsel further points out that a suit in O.S. No. 35 of 2015, on the file of the XI Additional District Judge, Gudiwada, was filed against the complainant, wherein A1 to A4 claimed rights over the said property.

6. In paragraph No. 5 of the private complaint, it is stated that A1 to A4 had clearly mentioned in their plaint in O.S. No. 35 of 2015 that Kambampati Kodanda Ramaiah died intestate about 12 years prior to the filing of the suit. Even a prima facie reading of the complaint indicates that the document in question

was produced before the Tahsildar by A1 for the issuance of the pattadar passbook.

7. The learned counsel for the petitioner further submits that, according to the petitioner's stand, she has had no contact with the defacto complainant, has never executed any document, and was not involved in the preparation of any such deed. The petitioner is stated to be residing far away along with her husband, is a woman, and is about 60 years of age.

8. Upon careful perusal of the record, it is noted that the petitioner did not produce the document before the Tahsildar for the issuance of the pattadar passbook. When queried, the learned Assistant Public Prosecutor confirmed that the petitioner has no criminal antecedents. Hence, this Court is inclined to grant anticipatory bail to the petitioner/A2.

9. In the result, the criminal petition is allowed by granting anticipatory bail to the petitioner/A2 subject to her surrender before the investigating officer concerned within two (02) weeks from today. On such surrender, the petitioner shall be released on bail on her furnishing a personal bond for Rs.20,000/- (Rupees twenty thousand only) with one surety for a like sum to the satisfaction of the concerned investigating officer. Upon her

release, the petitioner is mandated to adhere to the following conditions:

(i) The petitioner/A2 is directed to appear before the concerned investigating officer as and when required; and

(ii) The petitioner/A2 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 them from disclosing such facts to the Court or to any investigating or police officer and shall cooperate with the investigating officer.

10. Nothing stated above shall be construed as a final expression of opinion on the merits of the case, and the trial will proceed independently of the observations made in the present case, which are only for adjudicating the present bail application.

SD/- G.HELANAIDU
ASSISTANT REGISTRAR

[Signature]
SECTION OFFICER

//TRUE COPY//

For

To,

1. The Station House Officer, Gannavaram UP Police Station, Krishna District.
2. One CC to SRI. HARINADH NIDAMANURI Advocate [OPUC]
3. Two CCs to PUBLIC PROSECUTOR, High Court of Andhra Pradesh [OUT]
4. One spare copy

PSR

HIGH COURT

TMR,J

DATED:21/04/2025

ANTICIPATORY BAIL ORDER

CRLP.No.3680 of 2025

ALLOWED

