

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

CRIMINAL PETITION No. 2408 of 2015

ORDER:

The petitioner, who is the sole accused in Crime No.56 of 2015 of Maripeda Police Station, Warangal District, filed the present Criminal Petition under Section 438 Cr.P.C. seeking release in the event of his arrest in connection with the above crime, registered for the offences punishable under Sections 468, 420 and 471 IPC.

The case of the prosecution is that the informant was doing cultivation and ploughing with the help of tractor bearing No. AP 36 TA 0149. To obtain insurance policy for the said tractor, the informant approached the petitioner and paid cash of Rs.8,250/- on 17.12.2014. After receiving the said amount, the petitioner issued policy number and policy certificate. Subsequently, when the informant went to the office of insurance company for renewal of the said policy, he was informed that the policy issued to him was duplicate and it is invalid. Basing on these allegations the above case came to be registered.

Heard learned counsel for the petitioner and learned Public Prosecutor appearing for the respondent-State.

Learned counsel for the petitioner mainly submits that even accepting the allegations in the report to be true no offence is made out against him. According to him, the vehicle registration stands in the name of Venkateswarlu Vangeeti and the insurance policy also stands in the name of the said person and the petitioner had nothing to do either with the vehicle or with the insurance policy.

Learned Public Prosecutor opposed the application and placed on record the C.D. file.

A perusal of the statement of the witnesses recorded during investigation would show that originally Venkateswarlu Vangeeti is the owner of the vehicle, who sold the same to one Yadagiri, who inturn sold the vehicle to Gantla Narayana Reddy, the informant herein. Learned Public Prosecutor submits that since everything happened within a short span of time, the said Tractor was not transferred in the name of the informant till date. Further, the averments in the report disclose that at the time when the insurance policy was taken, the petitioner issued a fake

insurance certificate and subsequently, when the informant went to the insurance office to renew the policy, it was informed to him that no such policy was issued by their company. Therefore, the allegations in the report clearly disclose that, having collected a sum of Rs.8,250/- the petitioner herein got issued a fake policy in the name of the owner of the vehicle. Having regard to the said circumstances, I am not inclined to consider the request of the petitioner.

Accordingly, the Criminal Petition is dismissed. However, it is always open to the petitioner to surrender before the concerned Court and move an application for grant of bail before an appropriate Court after giving notice to the Public Prosecutor, in which event the same shall be dealt with on merits in accordance with law either on the same day or at the earliest.

C. PRAVEEN KUMAR, J

07.04.2015

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