THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

CRIMINAL PETITION NO.2354 of 2015

ORDER :

The petitioner, who is accused No.3, filed the present application under Section 438 of Cr.P.C. seeking release in the event of his arrest in connection with Crime No.179 of 2015 of Punjagutta Police Station, Hyderabad District, registered for the offences punishable under Sections 406, 420 read with Section 34 of IPC.

On 07.03.2015, one Anil Sura lodged a report stating that on seeing an advertisement in OLX.in, posted by A1 promising to provide jobs in MNCs like Genpact, Accenture, etc., he contacted the said person (A1) who in turn introduced him to A2. Before meeting A2, A1 told him about the details of the job and the amount to be paid. Accordingly, the informant paid Rs.90,000/-. Thereafter, A2 took him to Genpact office at Uppal along with A1 and the petitioner/A3. They told him to give his resume and instructed him not to attend any interview. On questioning about the process, the accused are alleged to have replied that it is a back door process and the offer letter would be sent through Gmail. When the informant enquired about the posting offer letters in Gmail, one Sudhir replied stating that it is also a back door process. It is alleged that the date of joining was being postponed on one pretext or the other till 01.05.2015, on which date he met the said Sudhir, who asked him to fill job sheet given by HR and his contact number. Subsequently, HR person came out side, issued job sheet to be filled and to be submitted at consultancy. After submission of the scanned copy of job sheet, the accused is alleged to have asked for additional amount to complete the remaining procedure and as such he paid the same to Sai Sudhir's SBI Account, who then gave him the date of joining as 27.01.2015. Thereafter, his joining date was again postponed without any proper reason. On 27.01.2015, when the informant approached the consultancy, it was closed and he found many people waiting for Sudhir. On seeing them, the informant realized that Sudhir intentionally cheated all the candidates. Basing on these allegations, the present case came to be filed.

Heard the 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 the petitioner. It is stated that except accompanying the other accused along with the informant to Genpact office, no specific role is attributed to the petitioner.

Learned Public Prosecutor, on instructions, placed on record C.D. file to show the involvement of the petitioner in the alleged offences.

A perusal of the first informant report would show that the informant along with the petitioner went to Genpact where he was asked to do the manner instructed by them. The statements of witnesses placed before the Court would show that when the informant demanded for return of the money paid by him, there was no response from the petitioner and the other accused. Similarly, the statement of one K.Raju, who was examined as LW3 would show that when they tried to contact the petitioner and another accused, nobody was available and that number of unemployed youth were cheated. Similar is the version given by one S.Rajesh, who was examined as LW4.

Learned Public Prosecutor, on instructions, states that as many as 29 unemployed youth were cheated by collecting huge amounts from them. He submits that if the petitioner is granted anticipatory bail, there is every likelihood of he tampering with the evidence and evading the process of law.

Having regard to the nature of allegations made, the request of the petitioner cannot be considered.

Accordingly, the Criminal Petition is dismissed.

JUSTICE C. PRAVEEN KUMAR

25.03.2015

vhb