

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

CRIMINAL PETITION No.653 of 2015

ORDER:

The petitioner, who is A-5 filed the present petition under Section 438 Cr.P.C. seeking release in the event of his arrest in connection with Crime No.23 of 2014 of Ravulapalem Police Station, East Godavari District which was registered for the offences punishable under Sections 120-B, 420, 229, 471, 474 r/w.34 IPC. Originally a private complaint was filed by the informant under Section 200 Cr.P.C. which was referred to police under Section 156(3) Cr.P.C.

The averments in the report are that the petitioner along with six others entered into an oral agreement with the informant to provide employment in ONGC and collected an amount of Rs.4.00 lakhs from him by making him believe that he would get employment. It is further alleged that subsequently, the petitioner along with others issued fake reporting order as if issued by the competent authority, thus cheated the informant. Basing on these allegations, the above report came to be lodged.

Learned counsel for the petitioner submits that in Cr.No.51 of 2014 of Ravulapalem Police Station which was registered against the petitioner for the very same offence, this Court in CrI.P.No.10477 of 2014 directed the petitioner to surrender before the learned Magistrate concerned and move an application for regular bail in such an event, the trial Court was directed to consider for grant of bail in favour of the petitioner with necessary conditions preferably on the same day if not atleast by the next day.

Learned Public Prosecutor opposed the application contending that orders passed by this Court are quite contrary to the judgment of the Supreme Court.

Having regard to the circumstances of the case and taking into

consideration the order passed by this Court in CrI.P.No.10477 of 2014 in Cr.No.51 of 2014, the petitioner herein shall surrender before the concerned Court within a period of three weeks from today and move an application for regular bail after giving prior 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 atleast by next day keeping in view the earlier order passed by this Court. Accordingly, the Criminal Petition is disposed of.

Miscellaneous petitions pending, if any in this criminal petition, shall also stand closed.

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JUSTICE C. PRAVEEN KUMAR

09-02-2015

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