

HON'BLE SRI JUSTICE M.S.K.JAISWAL

CRIMINAL PETITION No.5531 of 2015

ORDER:

This criminal petition is filed seeking anticipatory bail for the petitioner/accused No.1, who is alleged to have committed offences punishable under Sections 420, 406 and 120-B IPC in crime No.310 of 2014 of II Town Police Station, Visakhapatnam City.

Heard both sides.

Perused the material on record.

The case of the prosecution, in brief, is as under:-

The petitioner conspired with the then CEO - S.J.Bohari of Care Mutually Aided Co-operative Credit Society Limited and had taken loan of Rs.3 lakhs by pledging original registered sale deed document. Thereafter, without clearing the loan amount, the said document was returned to him. Further, false and unfilled documents were created, which shows that as if the petitioner has repaid sum of Rs.2,60,000/- to the society though he was not actually paid as per the records of the society.

Learned counsel appearing for the petitioner submits that the petitioner is neither an employee nor member of the society and he is no way concerned with the activities of the society. He further submits that the petitioner never borrowed any loan from the society.

As seen from the record, it appears that the petitioner/A1 admittedly obtained mortgage loan from the said society and without making any payments to the said society, he received the documents which were pledged by him. As huge amounts are involved in this crime, the petitioner, who is son of Ex-President of

the Society, committed omissions and commissions and this aspect needs to be decided only after full fledged trial. Hence, this Court is not inclined to grant anticipatory bail to the petitioner, who is the prime accused.

Criminal Petition is accordingly dismissed.

M.S.K.JAISWAL,J

Date : 08.07.2015.
ssp