

THE HONOURABLE SRI JUSTICE RAJA ELANGO
CRIMINAL PETITION No.11668 OF 2015

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ORDER:

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This criminal petition under Section 438 of the Code of Criminal Procedure is filed by the petitioners/A.1 and A.2 seeking grant of anticipatory bail in crime No.475 of 2014 on the file of the Arundelpet Police Station, Guntur District, registered for the offences under Section 420 IPC read with Section 34 IPC.

Heard and perused the material available on record.

The case of the prosecution is that one Phanindra Kumar is son of the complainant and he sent monies to A.1 from USA on the promise made by A.1 that he would invest the amount in real estate and A.1 purchased vacant site in the name of the said Phanindra Kumar and subsequently he obtained General Power of Attorney from the said Phanindra Kumar, but the said Phanindra Kumar having suspected the attitude of A.1 cancelled the General Power of Attorney. Later A.1 executed sale deed in favour of A.2 and thus, they committed the alleged offences.

Learned counsel for the petitioners submits that the petitioners have not committed any offence and they are law abiding citizens and they are ready and willing to cooperate with the investigating agency and as such, he prays this Court to grant anticipatory bail to the petitioners herein.

Considering the facts and circumstances of the case, this Court is of the view that the petitioners herein *prima facie* have intention to swallow the money of the Phanindra Kumar and as such, this Court is not inclined to grant anticipatory bail to the petitioners herein.

The criminal petition is accordingly dismissed.

JUSTICE RAJA ELANGO

18.11.2015

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