

HON'BLE SRI JUSTICE U.DURGA PRASAD RAO
CRIMINAL PETITION NO. 670 OF 2015

ORDER:

Heard both sides.

At the admission stage, the following order is passed.

On the report given by the *de-facto* complainant, the Police of Miyapur Police Station, Cyberabad registered Crime No. 829 of 2014 with the allegations that on the information of A1 that himself and his friend A2 were conducting chit business, the complainant believing the same joined in the chit subscription for 12,50,000/- and he subscribed about Rs. 2,05,000/- for 9 months and subsequently on 3.12.2014 when he went to the house of A1, he found the house locked and his cell phone was switched off and later he came to know that himself and similar 30 other subscribers were duped by the accused. The Investigation is stated to be pending.

Learned counsel for the petitioner/A2 submits that even if FIR allegations are taken to be true, they may reveal a case at best against A1 but not A2 and A2 has nothing to do with the present crime and therefore, the proceedings against him may be quashed.

A perusal of the complaint allegations would show that A1 represented to the complainant that he and the petitioner/A2 were conducting the chit business and goaded him to join in the chit subscription.

Having regard to the *prima facie* case against the petitioner/A2 also, and as the matter is in the nascent stage of Investigation, this is not a fit case to quash the proceedings.

Accordingly, this Criminal Petition is dismissed. However, considering the request of learned counsel for petitioner, the petitioner/A2 is directed to surrender before the IX Metropolitan magistrate, Kukatpally at Miyapur, Cyberabad on or before 20.02.2015 and seek bail and if he does so, learned Magistrate shall dispose of the bail application on the same day on merits.

As a sequel thereto, miscellaneous petitions, pending if any, shall stand closed.

U. DURGA PRASAD RAO, J

Date: 12.02.2015

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Note: Furnish copy by tomorrow.