

HON'BLE SRI JUSTICE C.PRAVEEN KUMAR

CRIMINAL PETITION No.3285 of 2015

ORDER:

The petitioner, who is accused No.1 in Crime No.40 of 2015 of Central Crime Station, DD, Hyderabad, registered for the offences punishable under Sections 406 and 420 IPC, filed the present application under Sections 437 and 439 Cr.P.C. seeking enlargement on bail in connection with the above crime. The petitioner was arrested on 25.02.2015 pursuant to a P.T.Warrant issued and since then he is in jail.

The case of the prosecution is that the informant was studying ANM Course in Manasa Gangotri Institute in the year 2013. At that time, the petitioner introduced himself as Manohar Reddy and also as a close relative of the Health Minister. The petitioner and his friends asked the informant to pay a sum of Rs.3.00 lakhs for getting a job in Government Health Department as A.N.M. The averments in the report show that accused lured LWs.1 to 4 and others in providing jobs in medical department, and admissions in medical college. He is alleged to have collected huge amount from them and on insistence for repayment he is alleged to have provided fake appointment orders and fake admission cards. It is further stated that one of the victim by name Gadde Mallesh was handed over a fake appointment order alleged to have been issued by Director of Health Department, Government of Andhra Pradesh, claiming to be signed by D.M. & H.O., Nizamabad. Similarly appointment orders were also issued to G.Santosh and S.Ramesh by collecting huge amounts. These appointment orders were found to be forged and fake. Basing on these allegations the above case came to be registered.

Heard learned counsel for the petitioner and learned Public Prosecutor appearing for the respondent-State.

Learned counsel for the petitioner submits that even accepting the allegations in the report to be true no offence is made out against the petitioner. According to him, the petitioner himself was cheated since the amount

collected by him from the informant and others was handed over to 1) Raghuveer Rao, (2) Suresh, (3) B.Sham Sunder, (4) Jagadishwar Reddy, (5) N.Chandu, (6) Laxman, (7) Anjaneyulu, (8) Venumadhav Rao and (9) Srikanth Reddy. He further submits that he also lodged a report against the persons who cheated him in Mumbai, but the police failed to register any crime though the offences alleged is cognizable in nature.

The learned Public Prosecutor opposed the application contending that the petitioner is involved in number of cases and as such he is not entitled to any relief. A perusal of the case dairy would show that the petitioner is involved in the following cases:

1. Crime No.192 of 2014 of Jeedmietla Police Station, registered on 10.03.2014, for the offences punishable under Sections 406, 418 and 420 IPC.

2. Crime No.416 of 2014 of Saroornagar Police Station, registered on 14.07.2014, for the offences punishable under Sections 420 and 406 IPC.

3. Crime No.348 of 2014 of Jammikunta Police Station, registered on 24.11.2014, for the offences punishable under Sections 420 and 506 IPC.

4. Crime No.49 of 2015 of Central Crime Station, DD, Hyderabad, registered for the offences punishable under Section 420 IPC.

5. Crime No.140 of 2013 of Kamote Police Station, Mumbai City, registered for the offences punishable under Sections 420, 468 and 471 read with 34 IPC.

The contents of the above reports are identical to the case on hand. Crime No.192 of 2014 came to be registered on 10.03.2014, for the offences punishable under Sections 406, 418 and 420 IPC, on the basis of the report given by by Ravinder, wherein, he is alleged to have given an amount of Rs.20.00 lakhs to the petitioner for the purpose of securing a MBBS Seat in medical college. After much persuasion the accused is said to have issued cheque for Rs.16,00,000/- but the same was returned due to insufficiency of funds.

Similarly on 24.11.2014 one K.Madhusudan gave a report against the petitioner and others which came to be registered as Crime No.348 of 2014 of

Jammikunta Police Station, wherein the petitioner is alleged to have collected Rs.24.00 lakhs for providing a MBBS seat. A reading of the report discloses that the accused neither provided a medical seat nor returned the amount and on the other hand, the petitioner was threatening the informant therein with dire consequences.

On 14.07.2014 a case in Crime No.416 of 2014 of Saroornagar Police Station, came to be registered for the offences punishable under Sections 420 and 406 IPC, basing on the report lodged by S.Mohammed Rafi, wherein the petitioner collected Rs.17,00,000/- from the informant and his friends namely Dr.Ravindra Reddy and N.Venkata Subbaiah.

A case in Crime No.140 of 2013 came to be registered in Kamote Police Station, Mumbai City, against the petitioner and others for the offences punishable under Sections 420, 468 and 471 read with 34 IPC.

From the above, it is clear that the petitioner has not only cheated the informant but also number of other persons.

Having regard to the circumstances stated above, as the petitioner is involved in number of cases and in view of the representation made by the learned Public Prosecutor that it is difficult to trace the petitioner, if he is released on bail, I am not inclined to grant bail to the petitioner at this stage.

Accordingly, the Criminal Petition is dismissed.

C. PRAVEEN KUMAR, J

27.04.2015

vhb

