

THE HONOURABLE SRI JUSTICE RAJA ELANGO

CRIMINAL PETITION No.5959 of 2015

ORDER:

This criminal petition is filed by the petitioner – accused under Sections 437 & 439 of the Criminal Procedure Code, seeking to grant bail in Crime No.72 of 2015 on the file of Rural Police Station, Vizianagaram registered for the offences under Sections 420, 468 and 471 IPC.

Heard and perused the material available on record.

The allegation against the petitioner is that he being a process server in the Court of the Judicial Magistrate of First Class, Kurupam cheated the de facto complainant and three others by believing them that he would arrange jobs in the Court, as he is working in the Court as Superintendent and collected huge amount from them, and failed to arrange the jobs.

A perusal of the remand report discloses that the petitioner received huge amount from various persons on the promise of arranging jobs to them and also issued cheques to them stating that if they failed to get jobs within 90 days, they will encash the cheques, but when the cheques were deposited after lapse of 90 days, the same were dishonoured. Issuance of cheques itself clearly indicates the fact that the petitioner with deceptive intention made the de facto complainant and others to believe that he is working as Superintendent and promised them to get jobs. According to the learned counsel for the petitioner, even after police custody, nothing could be recovered from the petitioner.

Considering the above facts and circumstances, this Court is not inclined to grant bail to the petitioner at this stage.

Accordingly, the Criminal Petition is dismissed.

RAJA ELANGO, J

July 03, 2015
CTL