

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

CRIMINAL PETITION NO.560 of 2015

ORDER :

The petitioner/A2 in Crime No.137 of 2014 of Kothacheruvu Police Station, filed the present application under Sections 437 and 439 Cr.P.C. seeking enlargement on bail in the above crime registered for the offences punishable under Section 489(B)(C) I.P.C. The petitioner was arrested on 12.12.2014 and since then he is in jail.

The case of the prosecution is that on 10.12.2014 at about 5.00 p.m., while Sub Inspector of Police was in the Police Station, the informant presented a report stating that he is a resident of Kothacheruvu Village and eking out his livelihood by doing sheep business and by selling mutton. As per the informant, he usually purchase sheep in the surrounding areas and sell them in the market at higher rate. When he tried to sell 26 sheep in the market yard, two unknown persons came to him and purchased all 26 sheep for Rs.97,500/- @ Rs.3,750/- per sheep. The accused gave Rs.500/- notes and left the yard to get vehicle for transporting the sheep. On seeing the notes, the informant got suspicion and as such went to Andhra Bank for verification, wherein he was told that all the said notes are fake. Immediately he went back to market yard and questioned the persons, who purchased the sheep from him. Then the petitioners are alleged to have left the place leaving the sheep and fake currency notes. Basing on the said allegations, the above crime is registered.

Learned counsel for the petitioner submits that the petitioner is only a driver and he is not aware about the issuance of the said notes by A1.

The learned Public Prosecutor, on instructions, submits that both the accused came to purchase the sheep and amount of Rs.97,500/- given to the informant was found to be fake. He further submits that investigation is still pending and if the petitioner is released, there is every likelihood of he evading the process of the Court, as he is a resident of Bangalore.

A perusal of the averments in the report and the remand case diary would show that both the petitioners came to Kothacheruvu Village and purchased 26 sheep from the informant by giving Rs.97,500/-. On suspicion the informant went to the Bank for verification, where he was informed that all the notes are fake. He came back and questioned the issuance of said notes, then the petitioners are alleged to have left the place leaving the sheep and notes. Since the investigation is still pending and as the petitioner is a resident of Bangalore, his request for bail is rejected, leaving it open to him to renew his request at an appropriate time before the trial Court.

Accordingly, the Criminal Petition is dismissed.

JUSTICE C. PRAVEEN KUMAR

09.02.2015

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