

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

CRIMINAL PETITION No.3153 OF 2015

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ORDER:

The petitioners, who are A-2 and A-3 in Crime No.31 of 2015 of Yemmiganur Town Police Station, Kurnool District, filed the present application under Section 438 Cr.P.C., seeking release in the event of their arrest in connection with the above crime registered for the offences punishable under Sections 420, 465 and 506 IPC.

The facts in issue are as under:

On 25.02.2015 the informant gave a report alleging that since 2009 her husband remitted amount to a tune of Rs.40,000/- in Birla Sun Life Insurance through the accused, who was an agent of Birla Sun Life Insurance. Due to financial crisis, the husband of the informant failed to remit the amount and asked the accused for return of the amount deposited and on demand of the accused, he handedover the policy bond in December 2014. It is alleged that the accused cheated the informant by forging her signature, submitting fake death certificate of her husband, fake Aadhar card at Birla Sun Life Insurance office and withdrew an amount of Rs.9,89,000/-. On coming to know about the same, when the informant questioned the accused, he is alleged to have threatened him with dire consequences. Basing on these allegations, the above case came to be registered.

Heard the learned counsel for the petitioners/A-2 and A-3 and the learned Public Prosecutor appearing for the respondent/State.

A perusal of the remand report and also C.D. file would show that these petitioners, who are A-2 and A-3 colluded with A-1 in creating a fake Adhar card containing the seal and also the death certificate showing as if the husband of the informant died. By using the said certificates, the amount was claimed in the name of the informant from Birla Sun Life Insurance. Since the allegations in the report are grave and serious in nature, though based on a confession of A-1, and as the investigation is still pending, the request of the petitioners cannot be considered.

In view of the above, I am not inclined to grant anticipatory bail to the petitioners. However, the petitioners, if so advised, shall appear before the

concerned court and move an application seeking regular bail after giving prior notice to the Public Prosecutor in which event the concerned Court shall deal with the same on merits in accordance with law at the earliest.

With the above direction, the criminal petition is disposed of.

JUSTICE C. PRAVEEN KUMAR

Date:15.04.2015

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