

HONOURABLE SRI JUSTICE RAJA ELANGO

CRIMINAL PETITION No.2587 of 2015

ORDER:

This petition is filed by the petitioner –complainant seeking to cancel the order dated 24.7.2014 passed in CrI.M.P.No.2750 of 2014 by the Special Judge for Economic Offences-cum-VIII Additional Metropolitan Sessions Judge, Nampally, Hyderabad.

It is alleged that the 2nd respondent-accused had stolen certain cheques and policies of the complainant and encashed those cheques. The complainant filed a private complaint before the IV Additional Chief Metropolitan Magistrate. The said private complaint was referred to the police and the same was registered as a case in Crime No.211 of 2014 for the offence punishable under Sections 379, 420, 468 and 471 IPC.

The 2nd respondent filed the above CrI.M.P. before the Special Judge for Economic Offences-cum-VIII Additional Metropolitan Sessions Judge, Hyderabad for anticipatory bail. The learned Special Judge allowed the said CrI.M.P. granting anticipatory bail to the 2nd respondent. Aggrieved by the same, the petitioner-complainant filed the present petition.

Heard and perused the material available on record.

Learned Counsel for the petitioner-complainant mainly contended that on the basis of the affidavit filed by the father of the 2nd respondent-accused, the Court below granted anticipatory bail to the accused and the procedure adopted by the Court below for granting bail is irregular and therefore, order under challenge is liable to be set aside.

From the material available on record, it is apparent that the petitioner-complainant and the 2nd respondent-accused are own brothers. The father of the 2nd respondent-accused, who is also the

father of the complainant, filed the affidavit stating that the 2nd respondent-accused has not committed any offences alleged. In the circumstances, the Court below granted bail to the 2nd respondent. This Court did not find any irregularity in the order under challenge. Therefore, this petition is liable to be dismissed.

Accordingly, the Criminal Petition is dismissed.

RAJA ELANGO, J

6th July 2015

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