

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

CRIMINAL PETITION No.2988 of 2016

ORDER:

-

The petitioner, who is A3, filed the present application under Section 438 of the Code of the Criminal Procedure (Cr.P.C.), seeking release in the event of his arrest in connection with Crime No.162 of 2015 of Gudivada I Town Police Station, Krishna District, registered for the offences punishable under Sections 420, 468 read with Section 34 of IPC.

The averments in the report would show that A1 is alleged to have induced the informant and his son for providing job in Indian Oil Corporation Limited, Paradeep, Orissa and asked them to deposit Rs.12 lakhs towards security, process fee of Rs.25,000/- and accordingly the informant paid Rs.25,000/- and filled the application forms. It is stated that they took the son of the informant to Cuttack, conducted medical fitness test and on 27.07.2014. A1 and A2 came to the house of informant at Gudivada and informed him that his son got selected, gave appointment order, took Rs.12 lakhs along with signatures of his son on blank papers by informing him to meet after receiving mail of acceptance letter from the Corporation at Paradeep. Subsequently, they took back offer letter and received signatures of his son on PF, ESI Insurance Forms making the informant believe that his son joined into the said job and received Rs.50,000/-. After completion of training period, the son of the informant was sent back home stating it as leave period and after a long period the informant came to know about the alleged act of cheating made by the accused and creation of forged documents and receiving huge money. Basing on these allegations, the present case came to be registered.

Learned counsel for the petitioner submits that even accepting

the allegations in the report to be true, no offence under Section 420 of IPC is made out against the petitioner. But, however, learned public prosecutor opposed the application contending that three cases are registered against the petitioner and others which are serious in nature.

Having regard to the facts and circumstances of the case and since A1 and A2 were already arrested and released on bail, the petitioner shall surrender before the concerned Court and move an application for grant of bail before the said Court after giving prior notice to the Public Prosecutor, in which event the same shall be considered in accordance with law.

Accordingly, the criminal petition is disposed of.

JUSTICE C. PRAVEEN KUMAR

15.03.2016

vhb