

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

CRIMINAL PETITION No.12688 of 2016

ORDER:

The petitioner, who is A.1 in crime No.160 of 2015 of I Town Police Station, Visakhapatnam City, preferred the present application under Section 438 Cr.P.C. seeking release in the event of his arrest in connection with the above crime registered for the offence punishable under Section 420 read with 34 of Indian Penal Code.

The case of the prosecution is that on 23.06.2015 the informant lodged a report stating that his eldest son Hari Kumar completed Diploma and was searching for a job. In one occasion, petitioner-A.1 stated to the informant that his son was also in job trials. It is alleged that A.1 and A.2 demanded Rs.7 lakhs from the informant for getting a job for his son in Steel Plant. Believing their words, the informant gave Rs.7,00,000/- in three different dates. But the petitioner failed to provide any job. When the informant questioned the accused, the petitioner postponed the matter on one pretext or the other. Basing on these allegations, present case came to be registered.

Learned counsel for the petitioner submits that the petitioner is running a Finance Company and the informant, who availed loan from the petitioner, failed to repay the money. When the petitioner demanded the informant to repay the amount, he filed the present complaint. The same is opposed by the learned Public Prosecutor contending that the petitioner has not only cheated the informant by not providing job and not repaying the amount taken but also created fake appointment letters.

A perusal of the CD and also the material produced before this Court reveals that the petitioner has not only cheated the informant, but some fake appointment letters were also alleged to have been prepared by the petitioner. Further, no material is placed before this

Court in support of the contention of the learned counsel for the petitioner that the petitioner is doing finance business. Having regard to these circumstances, I am not inclined to grant anticipatory bail to the petitioner. However, the petitioner, if so advised, shall surrender before the concerned Court and move an application seeking regular bail after giving prior notice to the concerned Public Prosecutor, in which event the same shall be dealt with in accordance with law on the same day or at the earliest.

With above direction, the Criminal Petition is disposed of.

JUSTICE C. PRAVEEN KUMAR

01.09.2016
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