

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

CRIMINAL PETITION NO.9913 of 2016

ORDER

The petitioners, who are A.1 and A.2 in crime No.300 of 2015 of Inthezargunj Police Station, Warangal, filed the present application under Section 438 Cr.P.C. seeking release in the event of their arrest in connection with above crime registered for an offence punishable under Section 420 and Sections 4, 5, 6 r/w.3, 2 (c) of Chits and Money Circulation Scheme (Banning) Act, 1978.

Heard learned counsel for the petitioners as well as the learned Public Prosecutor appearing for the respondent-State.

The case of the prosecution, in brief, is that petitioners and others, who were running a Company under the name & style of 'Core Vision' and 'Dream Entrepreneur', made the informant to deposit Rs.12,000/- and also to join three more persons under the pretext that he would get more money in the chain multi level marketing system. Thereafter, the petitioners and other accused failed to repay the amounts to the informant and when informant and other victims demanded for repayment of the amounts, the accused are alleged to have threatened them.

Learned counsel for the petitioners submits that the petitioners are students and they have nothing to do with the offences alleged. He further submits that other accused are arrested and released on bail. Hence, the request of the petitioners for grant of anticipatory bail may be considered. The same is opposed by the learned Public Prosecutor.

As seen from the material on record, petitioners and other accused started business in the names of 'Core Vision' and 'Dream Entrepreneur' and induced the informant and other public stating that if Rs.4,000/- is deposited and three persons are joined in the scheme, they would get lot of money. Believing the words of petitioners and other accused, the informant and others deposited Rs.4,000/- and also got enrolled others.

Since no money was repaid to the informant, a report came to be lodged. A perusal of the remand case diary would show that number of persons were cheated in this chain marketing system and the petitioners played an active role in the process. In view of gravity of the offence, I am not inclined to grant anticipatory bail to the petitioners.

Accordingly, the Criminal Petition is dismissed. However, the petitioners, if so advised, shall appear before the trial Court and move an application for grant of bail after giving prior notice to the Public Prosecutor, in which event the same shall be dealt with by taking into consideration the circumstances referred to above and shall consider the request of the petitioners in accordance with law.

JUSTICE C. PRAVEEN KUMAR

26.07.2016

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