

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

CRIMINAL PETITION No.13157 OF 2016

ORDER:

The petitioner, who is A.3, preferred the present Criminal Petition under Section 438 of the Code of Criminal Procedure, 1973, seeking release in the event of her arrest in connection with Crime No.167 of 2013 of II Town Police Station, Nellore, registered for the offences punishable under Sections 406 and 420 IPC.

2. The case of the prosecution is that A.1 used to collect rice from rice millers and sell the same at Tamilnadu State with the help of A.2 and A.3. In the said process, A.1 collected rice from the informant and others at Nellore in deceitful manner to transport the same to Chennai for sale to a tune of Rs.3,02,13,871/-. A.2 and A.3 sold away the said rice and misappropriated the amounts on their own and thereby cheated the informant and other rice millers. Basing on these allegations, the present crime came to be registered.

3. Learned counsel for the petitioner mainly submits that the petitioner has been implicated in this case only on the ground of fraud committed by A.2 and since A.1 and A.2 are alleged to have been released on bail, the request of the petitioner may be considered.

4. Learned Public Prosecutor opposed the same contending that huge amount of money has been involved and as such, the petitioner, who also played crucial role, is not entitled for bail.

5. A perusal of the material on record shows that A.1 and A.2 were arrested and released on bail. Since the allegations levelled against the petitioner are serious in nature, I am not inclined to grant anticipatory bail to the petitioner. However, the petitioner shall surrender herself before the concerned Court and move an application for bail after giving prior notice to the learned Public Prosecutor, in which event the same shall be considered on the same day or at the earliest, in accordance with law.

6. Accordingly, the Criminal Petition is disposed of.

Date:21.09.2016
INL



JUSTICE C. PRAVEEN KUMAR