

THE HON' BLE SRI JUSTICE C. PRAVEEN KUMAR

CRIMINAL PETITION No.14049 of 2016

ORDER :

1) The petitioners, who are accused Nos.1 and 2, filed the present Criminal petition under Section 438 Cr.P.C. seeking release in the event of their arrest in connection with Crime No.38 of 2016 of Tukaramgate Police Station, Hyderabad, registered for the offences punishable under Sections 406 and 420 IPC. Originally a private complaint came to be filed, which was referred to police under Section 156 (3) Cr.P.C.

2) The case of the prosecution is that basing on the orders placed by the petitioners/ accused, on 15.05.2010 the complainant is alleged to have supplied paper material and paper board worth Rs.20,47,035/- to the accused. Subsequently, the accused failed to pay the amount for the material supplied. The enquiries made by the complainant revealed that the unit of the petitioners/ accused is under the possession of Canara Bank, Ameerpet Branch. The accused are alleged to have cheated the informant knowing that they are not doing business and the unit is not under their control. Basing on these allegations the above case came to be registered.

3) Heard learned counsel for the petitioners and Public Prosecutor appearing for the respondent-State.

4) A perusal of the averments in the private complaint show that the transactions between the petitioners and the complainant are alleged to have taken place in the year 2010 and four years thereafter

the present private complaint came to be filed. The allegation against the petitioners is that they purchased the paper material and paper board from the complainant and when the complainant demanded for payment of money, the accused intentionally avoided payment of the due amount.

5) Having regard to the allegations made and since the petitioners are involved in two more crimes in the same police station, I am not inclined to grant anticipatory bail to the petitioners. However, the petitioners, if so advised, shall surrender before the Court concerned and make an application for regular bail, in which event, the same shall be considered in accordance with law on the same day or at the earliest.

6) With the above direction, the Criminal Petition is disposed of.

28.09.2016
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JUSTICE C. PRAVEEN KUMAR

