

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

- **CRIMINAL PETITION No.11178 of 2016**

ORDER:

- The petitioner, who is A.1 in crime No.36 of 2016 of II Town Police Station, Kadapa, 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 Sections 420 and 506 read with 34 of Indian Penal Code.

The case of the prosecution is that about five years back A.1 and A.2 approached the informant and stated that they would arrange for computer operator jobs on outsourcing basis in Yogi Vemana University by taking Rs.2,00,000/- for each job and asked him to get any unemployed persons. Believing the same, on 16.07.2012 the informant along with his younger brother and two others approached A.1 and paid Rs.6,00,000/- and also handed over certificates as demanded. It is further alleged that though the amounts were paid to A.1, he failed to provide jobs as promised by him. Finally, on 27.03.2016, when the informant and others went to the house of A.1 and asked for repayment of the amounts, A.1 is alleged to have threatened them not to visit his house again, if not will lodge a report against them for the offence punishable under SCs & STs Act. Hence, the informant lodged report against A.1 to A.2.

Learned counsel for the petitioner submits that even accepting the allegations leveled against the petitioner to be true, no offence is made out. It is his case that the petitioner is innocent of the offence. The same is opposed by the learned Additional Public Prosecutor.

A perusal of the First Information Report establishes that the petitioner along with his son i.e. A.2 is alleged to have committed the offence by promising the informant and others to provide jobs in government offices. When the informant and others demanded the

petitioner for return the amounts paid, the petitioner is alleged to have abused and also threatened them with dire consequences.

In view of the serious allegations made against the petitioner, which *prima facie* discloses commission of offence punishable under Sections 420 and 506 read with 34 IPC, 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 at the earliest.

With above direction, the Criminal Petition is disposed of.

JUSTICE C. PRAVEEN KUMAR

04.08.2016
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