

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

CRIMINAL PETITION No.13846 of 2016

ORDER:

The petitioner, who is accused in crime No.364 of 2015 of Chaitanyapuri Police Station, Cyberabad, 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 406 of Indian Penal Code.

On 17.06.2015 the Manager, SBH, Chaitanyapuri branch, lodged a report stating that the petitioner availed a loan of Rs.6,20,000/- for purchasing a car. Accordingly, he purchased a car and thereafter committed default in repayment. It is further stated that when the bank officials contacted RTA, Ibrahimpatnam, they came to know that the petitioner has sold the vehicle to some third party inspite of the fact that said car was hypothecated to the bank. Basing on the said report, present crime came to be registered.

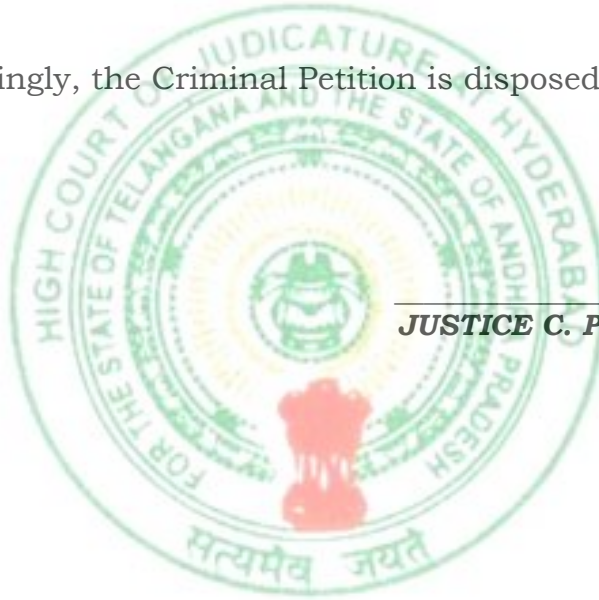
Heard the learned counsel for the petitioner as well as the learned Public Prosecutor.

Learned counsel for the petitioner submits that a false case has been foisted against the petitioner. He further submits that another case has been registered against the petitioner in crime No.1079/2014 of Jubilee Hills Police Station with similar allegations in which petitioner was granted anticipatory bail, hence seeks the relief. Learned Additional Public Prosecutor opposed the application.

As seen from the record, the petitioner is already involved in similar offence i.e. selling the vehicle, which was hypothecated to State Bank of Hyderabad, Banjara Hills branch. Having regard to the same, I am not inclined to consider the request of the petitioner though he was granted relief in a similar crime. However, as the offences are triable by the Magistrate, the petitioner shall surrender before the concerned Court and move an application seeking regular bail, in which event the same shall be considered in accordance with law on the same day or at the earliest.

Accordingly, the Criminal Petition is disposed of.

28.09.2016
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JUSTICE C. PRAVEEN KUMAR