

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

CRIMINAL PETITION Nos.5314 AND 5315 of 2016

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COMMON ORDER:

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Petitioners in both the Criminal Petitions are one and the same involved in different crimes of same District, therefore, both the Criminal Petitions are disposed of by way of Common Order.

2. Criminal Petition No.5314 of 2016 is filed by the petitioners/A.2 and A.3 under Section 438 Cr.P.C., seeking release in the event of their arrest in Crime No.3 of 2014 of Yemmiganur Town Police Station, Kurnool District, registered for the offences punishable under Sections 420, 406, 120-B read with 34 IPC and Sections 3 and 5 of the Andhra Pradesh Protection of Depositors of Financial Establishment Act, 1999, Sections 4 to 6 of the Prize Chits and Money Circulation Schemes (Banning) Act, 1978 .

3. Criminal Petition No.5315 of 2016 is filed by the petitioners/A.2 and A.3 under Section 438 Cr.P.C., seeking release in the event of their arrest in Crime No.421 of 2013 of IV Town Police Station, Kurnool, registered for the offences punishable under Sections 420 IPC and Section 5 of the Andhra Pradesh Protection of Depositors of Financial Establishment Act, 1999.

4. This Court while adjourning the matters on 21.04.2016 directed the respondent-police not to arrest the petitioners in both the Criminal Petitions till today.

5. Learned counsel for the petitioners submits that A.1 was already released on bail and in similar circumstances, Karnataka High Court granted anticipatory bail to the petitioners.

6. Learned Public Prosecutor, on instructions, submits that the petitioners are involved in number of cases, registered in Kurnool District; and in view of the same he is not in a position to get instructions from all the police stations. He further submits that if an application for anticipatory bail is moved before the

concerned Court in Kurnool, local police would be in a better position to assist the Court.

7. Learned counsel for the petitioners submits that the petitioners are willing to move an application before the Sessions Judge, but however seeks extension of the interim stay of arrest granted earlier by this Court for some more time.

8. Without going into the merits of the case and having regard to the facts and circumstances of the case, both the Criminal Petitions are disposed of directing the petitioners to move an application before the Principal District and Sessions Court, Kurnool, since the offences alleged is under Protection of Depositors of Financial Establishment Act, in which event the Court shall deal with the same, at the earliest in accordance with law. The order of granting stay of arrest in both the Criminal Petitions shall be in operation for a period of three (03) weeks from today. It is made clear that no further extension of stay will be granted.

JUSTICE C. PRAVEEN KUMAR

Date:28.04.2016

Note: Furnish C.C. by tomorrow
(B/O)
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