

HON'BLE SRI JUSTICE C.PRAVEEN KUMAR

CRIMINAL PETITION No.1841 of 2016

ORDER:

The petitioner, who is accused No.2 in Crime No.238 of 2013 of Godavarikhani I Town Police Station, Karimnagar District, filed the present Criminal Petition under Section 438 Cr.P.C. seeking release in the event of his arrest, in connection with the above crime, registered for the offences punishable under Sections 420 and 506 IPC. A charge sheet came to be filed against the petitioner and another for the above offences, which was taken on file as C.C.No.727 of 2013 on the file of the Judicial Magistrate of First Class, Godavarikhani.

The case of the prosecution as stated in the charge sheet is as under:

Accused Nos.1 and 2 are brothers and they are resident of Ramagundam. Now, the petitioner/accused No.2 is studying CA final year and accused No.1 is doing petty civil contracts. Since the amount which was earned by both the accused was not sufficient, they decided to lure the innocent unemployed youth by putting them under a belief that, they would provide government jobs like railways, VROS and GENCO etc. The un-employed youth, who believed the words of the accused, parted more than Rs.51.00 lakhs to the accused and also to their family members. The averments in the charge sheet further disclose that on believing the words of the accused, the informant deposited an amount of Rs.1,50,000/- on 14.05.2011 and Rs.50,000/- on 19.05.2011 in bank account of accused No.1. Basing on these allegations a charge sheet came to be filed.

Heard learned counsel for the petitioner and learned Public Prosecutor appearing for the respondent-State.

A perusal of the record would show that from July, 2013 onwards

the petitioner successfully evaded the police. However, police completed the investigation and filed charge sheet which was taken on file as C.C.No.727 of 2013 showing the petitioner as absconding.

It is represented by the Additional Public Prosecutor that non-bailable warrant issued against the petitioner are pending execution. As the averments in the charge sheet *prima facie* do constitute the offences alleged against the petitioner, I am not inclined to grant anticipatory bail to the petitioner. However, the petitioner, if so advised, shall surrender before the Court concerned and move an application for regular bail, in which event the same shall be dealt with on merits in accordance with law.

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

C. PRAVEEN KUMAR, J

25.02.2016

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