

**THE HON'BLE SRI JUSTICE U.DURGA PRASAD RAO**

**CRIMINAL PETITION No.4087 of 2017**

**ORDER:**

Petitioner/accused seeks pre arrest bail in Crime No.286/2017 of Banjara Hills Police Station, Hyderabad, registered for the offences under Sections 406, 408 & 420 IPC.

The de-facto complainant lodged a complaint with the police of Banjara Hills stating that he is owning a company in the name and style of Creations Event Management and accused was his friend and he used to work and get business for him on suitable percentage. He had registered the firm in the year 2010 and has done business for one year and thereafter, he has not done any business and stopped using his bank accounts as he left to Qatar and suddenly he came to know that accused is maintaining current account in Kotak Mahindra (Ing Vysya Bank) and deposited his business amounts in that account but in the name of Creations Event Management and thereby the service tax was tagged to the account. The report is registered as Crime No. 286/2017 and investigation is reported to be pending.

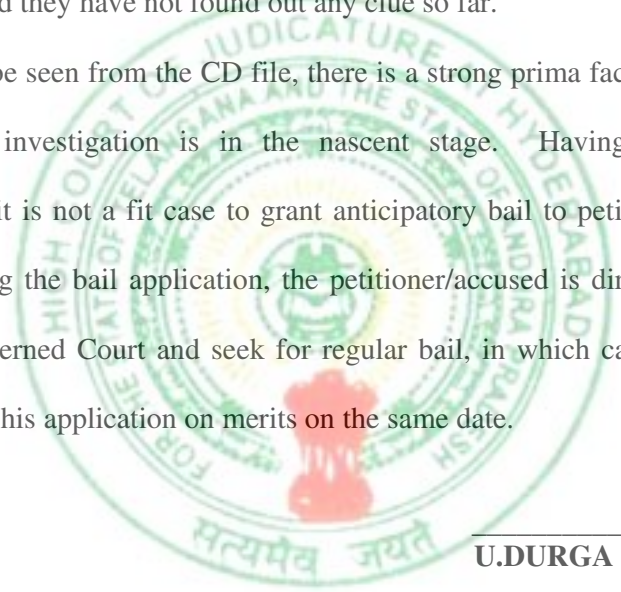
Denying the allegations, learned counsel for petitioner would submit that he gave an exhaustive reply to the notice issued by the police under Section 41-A Cr.P.C, wherein he clearly mentioned that he worked with the complainant's company for some time on the commission basis and thereafter he started free lance event management and he never used the service tax account number of the complainant and he never tagged service tax to his account. He thus prayed for bail.

The de-facto complainant has appeared in this matter through his counsel Sri Pramod Sing, who by producing a copy of the cheque dated 6.5.2015, issued in the

name of Creations Event Management for Rs. 6,12,480/- in the A/c No. 1509002101113291, would submit that the accused in fact has obtained the said cheque in the name of complainant i.e., Creations Event Management and thereby the service tax payable on that amount was tagged to the account of the complainant and accused has obtained different cheques in similar manner thereby the complainant was demanded by the authorities to pay service tax worth Rs. 80 to 90 lakhs.

Learned Additional Public Prosecutor would submit that the matter is under investigation and they have not found out any clue so far.

As can be seen from the CD file, there is a strong prima facie case against the petitioner and investigation is in the nascent stage. Having regard to these circumstances, it is not a fit case to grant anticipatory bail to petitioner. Therefore, while dismissing the bail application, the petitioner/accused is directed to surrender before the concerned Court and seek for regular bail, in which case, the said Court shall dispose of his application on merits on the same date.



**U.DURGA PRASAD RAO, J**

Date: 27.07.2017  
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