

THE HON'BLE SRI JUSTICE M. SATYANARAYANA MURTHY

CRIMINAL PETITION No.1750 OF 2017

ORDER:

This Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973 (for short 'Cr.P.C.'), is filed to grant pre-arrest bail to the petitioner/ Accused apprehending his arrest in connection with Crime No.11 of 2017 of Kuppam Police Station, Chittoor District, registered for the offences punishable under Sections 420, 323, 506 of Indian Penal Code, 1860.

The case of the prosecution, in brief, is that the *de facto* complainant by name S. Rasheed working as a Manager in Andhrabhoomi daily news paper at Rayachoty, lodged a complaint dated 09.02.2017 with SHO, Kuppam Police Station, alleging that he developed acquaintance with the petitioner who is working as 10 TV reporter in Chittoor. Thereafter they used to talk over phone, often. He used to met the petitioner whenever he went to Chittoor. About two months back, the petitioner telephoned him saying that he will provide the Manager post in Andhrabhoomi daily newspaper for Kadapa District, for that he has to arrange an amount of Rs.50,000/- , believing the words of the petitioner, he came to Kuppam with an amount of Rs.50,000/- and paid the same to the petitioner and returned back to his Village. From then onwards, he used to contact the petitioner regularly by phone, but not responding to the phone calls, in one way or the other and dodging the matter, when he demanded to comply the promise. On enquiry of his friends, he came to know that they were also induced by the petitioner. Thereafter he telephoned the petitioner on 07.02.2017 about this incident. On 09.02.2017 the petitioner telephoned and called him to Kuppam, thereby he came to Kuppam at about 11.00 a.m. and advised him to

come near park opposite to the bus stand. When he reached the park, all of sudden the petitioner threatened him and scolded in filthy language saying that it is true that he collected money from him and complain the same to whomsoever he like. Thus, the petitioner allegedly committed serious offence, taking advantage of his position as 10 TV reporter and the same is published in paper.

As seen from the material on record, the petitioner, being a TV reporter, took advantage of his position, collected huge amount from the complainant, inducing him dishonestly to part with huge amount which would attract the offence punishable under Section 420 I.P.C. as the act would fall within the definition of Section 415 I.P.C. Therefore, I find *prima facie* material against the petitioner to conclude that he committed the offence and there is every possibility of threatening the witness and interfere with the further investigation being a TV reporter. Therefore, I find no ground to enlarge the petitioner on bail.

In the result, the criminal petition is dismissed.

M. SATYANARAYANA MURTHY, J

20.03.2017
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