

The Hon'ble Sri Justice N.Balayogi

Criminal Petition No.3656 of 2017

Date: 11.05.2017

Order :

This Criminal Petition under Section 438 of the Code of Criminal Procedure, 1973, is filed seeking to grant Anticipatory Bail to the petitioners.

The petitioners are accused Nos.1 and 2 respectively in Crime No.226 of 2017 on the file of Saroornagar Police Station, Hyderabad, registered for the offences punishable under Section 420 of IPC and Sections 3, 5, 8, 10 and 13 of the Andhra Pradesh (Telangana Area) Money Lenders Act, 1349F.

The *de facto*-complainant filed a complaint against the petitioners stating that she borrowed a sum of Rs.2 lakhs from them in the month of October/November, 2015 for her personal needs agreeing to repay the same with interest @ 3% p.a., but they are collecting interest @ 30% p.a., and also pressurizing her to register her property in their names and threatened her with dire consequences.

The contention of the petitioners is that one PSD.Prasad, who is the husband of the defacto-complainant, executed an agreement of sale in favour of the second petitioner on 16.12.2015 by receiving a sum of Rs.2 lakhs as advance and

agreed to receive the balance sale consideration at the time of registration. They further contended that, in order to harass them and to escape execution of registered sale deed, the defacto-complainant filed a false complaint and no specific overt acts were attributed against them.

A notice was given to the learned Additional Public Prosecutor, who appeared and argued the matter.

The learned Additional Public Prosecutor contended that the investigation is at the initial stage; that many witnesses are yet to be examined; and that in case of grant of anticipatory bail, the petitioners may not co-operate with the investigating agency.

Earlier, the petitioners filed Crl.M.P.No.1357 of 2017 on the file of the V Additional District and Sessions Judge, Ranga Reddy District at L.B.Nagar, Hyderabad, Telangana State and the same was dismissed. Having gone through the averments of the petitioners and the documents filed in support thereof, I find that there are no changed circumstances or reasons to grant Anticipatory Bail to the petitioners.

Hence, the Criminal Petition is dismissed.

(N.Balayogi, J)

Dt: 11th May, 2017
lur/dr

