

THE HON'BLE SRI JUSTICE U.DURGA PRASAD RAO

CRL.P.NO.3363 OF 2017

ORDER

Petitioner – Kumari Sravanthi, D/o Veeraswamy, (A-1 as per remand case diary), filed the instant petition under Section 438 of Cr.P.C. seeking anticipatory bail.

On the complaint given by one Smt. Bandi Swetha w/o Peddapalli Sai Kumar, Miyapur Police have registered the case in Crime No.266/2017 under Section 420 IPC and investigation is pending.

The facts briefly, the complainant was pursuing M Pharmacy and she was in search of a job. At that time, the petitioner /A-1, who is her friend, informed that she can procure a job and asked her to come to Miyapur and gave an address. Accordingly, the complainant went to the address at Miyapur, for interview. There, the petitioner/A-1 and A-2, made false representations stating that theirs an online business company and by investing Rs.1,10,000/- (Rupees one lakh ten thousand only), in Qnet company, she can earn more money in an easy manner by online product promotion. The complainant accordingly gave Rs.1,10,000/- to the petitioner / A-1 on the inducement of A-1 and A-2. Later, the complainant received some goods, which are of cheap quality with high denomination

rates. On enquiry, the accused informed the complainant that she has to add some more persons in their online product business to get the commission. They told that she has to bring at least two persons. Since the complainant was not willing to join other persons by cheating with cheap products, she asked to refund her amount. However, the accused refused to pay back her amount. Thus the complainant alleges that she was cheated by the accused. Hence the complaint.

Refuting the charge, the learned counsel for the petitioner prays to grant bail to the petitioner by submitting that the petitioner/A-1 and A-2, are only small employees in the concern and they never cheated the complainant and further the complainant has not given the amount to them directly, but she has given the amount to the manager Vihari and, therefore, the bail may be granted to the petitioner, who is a lady.

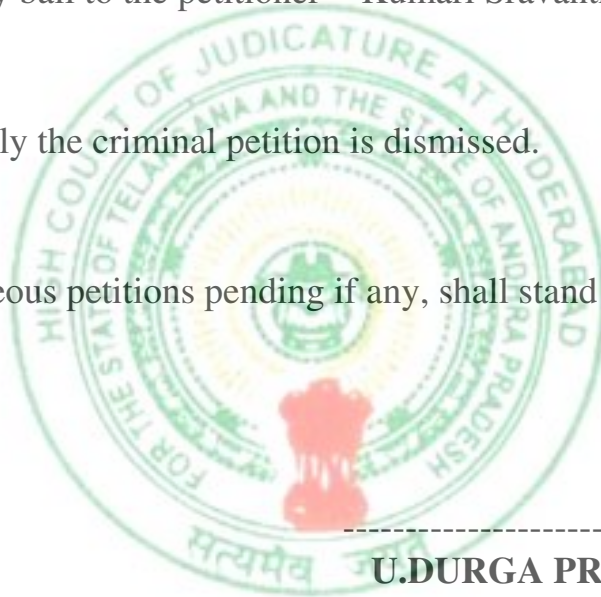
Learned Additional Public Prosecutor opposed the bail application stating that the complaint allegations would clearly show that it was petitioner /A-1 and A-2, who induced the complainant to pay the amount for getting easy commission through online product selling and on their inducement only, the complainant paid the amount and the police are investigating the matter to know the involvement of some other persons and

also the possible victims. He would submit that the investigation is in the crucial stage and, if bail is granted, petitioner may tamper the evidence.

A perusal of complaint would clearly show a *prima facie* case against the petitioner, inasmuch as the complainant says that the amount was paid to the petitioner herein, who is A-1 and to A-2, on their inducement. The record shows that the police are making investigation about the role of others in the act of cheating the public. As the matter stands, it is not a fit case to grant anticipatory bail to the petitioner - Kumari Sravanthi / A-1.

Accordingly the criminal petition is dismissed.

Miscellaneous petitions pending if any, shall stand closed.



U.DURGA PRASAD RAO,J

DATE:01—06—2017

AVS