HON'BLE SRI JUSTICE A. SHANKAR NARAYANA

<u>CRIMINAL PETITION No.2847 OF 2017</u>

<u>ORDER</u>:

A request is made to grant anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973.

2. The petitioner is arraigned as accused No.5 in Crime No.17 of 2017 of Adilabad I Town Police Station, Adilabad District, Telangana State. He alleged to have committed the offences punishable under Sections 489B and 489C of Indian Penal Code, 1860, along with other accused.

3. Heard Sri T. Koteshwara Prasad, learned counsel for the petitioner and the learned Additional Public Prosecutor for the State of Telangana.

4. The learned counsel while pleading innocence and false implication of the petitioner would submit that there is no *prima facie* material at all to connect the petitioner with his complicity in the commission of offences alleged against. According to him, the petitioner is working as School Assistant (Hindi) in Zilla Parishad High School, Pochera, Adilabad Mandal and District and, therefore, seeks to grant anticipatory bail.

5. The learned Additional Public Prosecutor would strongly resist the request. According to him, there is direct involvement of the petitioner in the circulation of fake notes of Rs.2000 denomination and submitted the Case Diary.

6. Perused the Case Diary and it is to be found that the accused No.6 - Arjune Girish while working as a Chit Agent in Sriram Chits, the petitioner was a chit member in the said company and out of said acquaintance, they used to celebrate dinners; that when accused No.6 was in need of money, he asked the petitioner to lend a sum of Rs.5,000/- as hand loan, on which the petitioner promised that he would provide the said amount in the evening of 14.01.2017, and on the same day, the petitioner made a phone call to him and told him to come nearby Gandhi Park and, accordingly, he met the petitioner at Gandhi Park, where the petitioner gave an amount of Rs.8,000/- of fake currency notes in the denomination of Rs.2000/- (i.e., 2,000 x 4 = 8,000/-) and also saying that they were fake notes and informed him to circulate them in the market and 30% commission would be given to him for circulation of fake notes, and when accused No.6 asked the petitioner as to how he could get possession of the said notes, the petitioner replied that he met a friend of him (accused No.4 - Singare Mahender Kumar) and requested him to give any source in arranging money since the petitioner was suffering from financial problems, accepted in arranging the fake notes; that upon consent given by accused No.6 for circulation of fake notes, the petitioner informed the same to accused No.4, on which accused No.4 asked accused Nos.2 and 3 to meet petitioner and accused No.6 and accordingly, they met the petitioner and accused No.6 and handed over certain fake currency notes; that when the *de facto* complainant asked accused No.6 to lend a sum of Rs.2,000/- as hand loan, he has given the fake note to him on 14.01.2014 at about 7.30 p.m. Certain other facts have been finding place in the case diary relating to the petitioner which are unnecessary to refer to.

Suffice it to state that when the petitioner's complicity is finding place, he is not entitled for grant of anticipatory bail, where the office is circulation of fake notes.

Accordingly, the present Criminal Petition is dismissed.

A. SHANKAR NARAYANA, J

JULY 11, 2017
Mgr