

THE HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

CRIMINAL PETITION No.7121 of 2017

ORDER:

This petition is filed under Section 438 Cr.P.C. by the petitioner/accused No.3 seeking pre-arrest bail in Crime No.114 2017 on the file of the Station House Officer, Ananthapuramu I Town Police Station, Ananthapuramu District, registered for the offence punishable under Sections 346, 364-A, 386, 387, 120-B read with 34 IPC.

2. Learned counsel for the petitioner submitted that the petitioner has nothing to do with the alleged offence, therefore, it is a fit case to grant pre-arrest bail to the petitioner. ***Per contra***, learned Additional Public Prosecutor representing the State submitted that the allegations made in the complaint *prima facie* constitute the offence alleged to have been committed by the petitioner.

3. It is the case of the prosecution that on 20.02.2017 one Aswartha Narayana, son of the victim lodged a complaint stating that his mother by name Bhagya Lakshmi was missing. It is the case of the prosecution that petitioner kidnapped the said Bhagya Lakshmi on 22.02.2017 and released on 10.05.2017. It is the further case of the prosecution that the petitioner along with others drawn an amount of Rs.60.00 lakhs from the bank account of Bhagya

Lakshmi by force. The petitioner filed CrI.M.P.No.696 of 2017 on the file of the Judge, Family Court – cum - Additional District & Sessions Judge, Ananthapuramu, and the same was dismissed.

4. A perusal of the record clearly reveals the role played by the petitioner along with other accused in the commission of offence. A perusal of the record further reveals that the victim was detained by the accused for a period of nearly three months and forcibly taken away nearly an amount of Rs.60.00 lakhs. A perusal of the record reveals that the investigation is in progress. As rightly pointed out by the learned Additional Public Prosecutor, if the petitioner is released on bail, the possibility of threatening the prosecution witnesses cannot be ruled out completely.

5. Taking into consideration the nature of the offence alleged to have been committed by the petitioner and the stage of investigation, this Court is of the considered view that it is not a fit case to grant pre-arrest bail to the petitioner-accused No.3.

6. In the result, the Criminal Petition is dismissed.

T.SUNIL CHOWDARY, J

Date: 04.09.2017

Rns

