

HON'BLE SRI JUSTICE U.DURGA PRASAD RAO

Criminal Petition No.4186 of 2017

ORDER:

In this petition filed under Section 438 Cr.P.C, petitioners/A1 and A3 seek pre-arrest bail in Crime No.61 of 2017 of Bellampalli I Town PS, Ramagundam District which was registered for the offences under Sections 120B, 420, 468 and 471 IPC against the petitioners and other accused.

2) The case of the *de-facto* complainant is that accused/A2 promised him to secure job in Indian Railways and in turn asked him to pay Rs.13 lakhs. Accordingly, as a first instalment, he paid Rs.6,50,000/-. After some time, they along with A5 took him to Bhubaneswar and obtained signatures on railway forms stating that his work would be over and he would get the job. However, they did not secure any job for him and he came to know that he was cheated. On his complaint, police initially initiated crime against A7, A5 and A6 and later during the course of investigation and after interrogation of A5, the police added the petitioners also as A1 and A3 and investigation is reported to be pending.

3) The investigation so far reveals that not only the complainant but some other persons were also cheated in the hands of accused and huge amounts were paid by the victims to the accused.

4) Denying the allegations, bail is pleaded for A1 and A3 on the main submission that except in the confessional statements, the names of petitioners were not found in FIR and there is no other independent material available to connect the petitioners to the offence.

5) Learned Additional Public Prosecutor (TG) opposed the bail on the submission that A1 is the main accused through whom large amounts were secured from the victims on the false promise of securing jobs and the police are investigating the matter to unearth the complicity of some more persons and if bail is granted, the petitioners may interfere with the investigation.

6) As can be seen from the CD file particularly that of confessional statements of accused, the complicity of petitioners/A1 and A3 is writ large. As such, there is strong *prima facie* case against the petitioners. The investigation is still in nascent stage and as rightly submitted by learned Addl.P.P., the complicity of some other persons need to be exhumed.

7) In these circumstances, it is not a fit case to grant anticipatory bail to the petitioners. The petition is accordingly dismissed.

As a sequel, miscellaneous petitions pending, if any, shall stand closed.

Date: 18.07.2017
Murthy

U. DURGA PRASAD RAO, J