

**THE HON'BLE SRI JUSTICE T.SUNIL CHOWDARY**

**CRIMINAL PETITION NO.6768 OF 2017**

**ORDER:**

Petitioners, who are A6 to A9 in Cr.No.85 of 2015 on the file of Station House Officer, Angara Police Station, East Godavari District, registered for the offences punishable under Sections 420 and 409 r/w 34 IPC and 5 of A.P. Protection of Depositors of Financial Establishment Act, 1999, filed this petition under Section 438 Cr.P.C. seeking anticipatory bail.

2. Learned counsel for the petitioner strenuously submitted that the petitioners were falsely implicated in this case, who have nothing to do with the business of Sri Satyadeva Finance Company. He further submitted that the petitioners recently came to know about the pendency of case against them. **Per contra**, learned Additional Public Prosecutor representing the State submitted that the petitioners' also actively involved in the business. He further submitted that the investigation is in progress; therefore, it is not a fit case to grant bail to the petitioners.

3. The case of the prosecution is that the petitioners along with other accused started finance business in the name and style of 'Sri Satyadeva Finance Company' in Kapileswarapuram village. It is the further case of the prosecution that the petitioners along with other accused collected more than one crore and five lakhs rupees from 224 depositors and invested in real estate business by diverting company funds. The gist of the allegations made in the complaint is that the petitioners cheated the depositors in and around Kapileswarapuram village.

4. The petitioners filed CrI.M.P.No.527 of 2017 on the file of the Principal District and Sessions Judge, East Godavari at Rajamahendravaram, under Section 438 Cr.P.C. seeking anticipatory bail and the same was dismissed by order, dated 15.05.2017. Again the petitioners filed CrI.M.P.No.807 of 2017 on the file of the Principal District and Sessions Judge, East Godavari at Rajamahendravaram, under Section 438 Cr.P.C. seeking anticipatory bail and the same was dismissed by order, dated 06.07.2017 on the ground that there are no changed circumstances to the earlier bail application

5. A perusal of the record *prima facie* reveals the role played by the petitioners in the commission of offence. While deciding this type of applications, the Court shall not lose the trauma undergone by the depositors as well as the impact of the offence on the society. A perusal of the record reveals that the investigation is still in progress. As rightly pointed out by the learned Additional Public Prosecutor, if the petitioners are released on bail, the possibility of interfering with the investigation cannot be ruled out completely.

6. Taking into consideration the seriousness of the offences alleged to have been committed by the petitioners and the stage of investigation, I am of the considered view that it is not a fit case to grant bail to the petitioners at this stage.

7. Accordingly, the Criminal Petition is dismissed.

**T.SUNIL CHOWDARY, J**

**DATED: 30-08-2017.**

Hsd