

THE HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

CRIMINAL PETITION No.6418 of 2017

ORDER:

1 This Criminal Petition is filed, by the petitioner/A.4, under Section 438 Cr.P.C., seeking anticipatory bail in Crime No.155 of 2017 on the file of the Station House Officer, Gopalpuram Police Station, Hyderabad, registered for the offences punishable under Sections 420, 468, 471 and 506 r/w 34 of IPC.

2 The learned counsel for the petitioner submitted that the petitioner was falsely implicated in this case as he knows the accused No.1. He submitted that accused Nos.1 to 3 were arrested and produced before the concerned court for judicial remand. He further submitted that accused Nos.2 and 3 were enlarged on regular bail. He further submitted that even if the allegations made in the complaint are, *ex facie*, taken to be true and correct, no prima facie case is made out against the petitioner, therefore, this is a fit case to grant pre-arrest bail to the petitioner/A.4.

3 *Per contra*, the learned Additional Public Prosecutor submitted that the petitioner herein along with others collected an amount of Rs.12.00 lakhs from the de-facto complainant promising to secure a job to him and failed to provide job.

4 The case of the prosecution is that the petitioner herein along with others collected an amount of Rs.8.00 lakhs from the de-facto complainant in the month of January 2016 near Swathi hotel, Secunderabad assuring that they will provide a job to him in IOCL. The de-facto complainant also deposited an amount of Rs.4.00 lakhs in the bank account of the accused No.1. The petitioner along with other accused has given fake proceeding order and fake appointment order to the de-facto complainant. The gist of the allegations made in the complaint is that the petitioner cheated the de-facto complainant.

5 A perusal of the record reveals that the petitioner along with others collected an amount of Rs.12.00 lakhs from the de-facto complainant by making a false promise that they will provide job to him in IOCL, AP ZENCO or in Endowments Department. A perusal of the record further reveals that the petitioner and others neither provided the job to the de-facto complainant nor returned the amount collected from him. A perusal of the record prima facie reveals the role played by the petitioner in commission of the alleged offence.

6 Taking the plight of the unemployed youth, some intelligent people are collecting money alluring them to provide jobs by making false promises. While deciding the petitions filed under section 438 Cr.P.C. the court has to take into consideration the impact of the offence on the society. Mere enlargement of accused Nos.2 and 3 on regular bail by itself is not a sole ground to grant the relief sought for by the petitioner. Having regard to the seriousness of the offence alleged to have been committed by the petitioner, this Court is of the considered view that this is not a fit case to grant anticipatory bail to the petitioner.

7 In the result, the petition is dismissed.

T.SUNIL CHOWDARY, J

Date: August 28, 2017

Kvsn