THE HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

CRIMINAL PETITION No.4708 of 2017

ORDER:

1 This criminal petition is filed, by the petitioner/accused No.3, under Section 438 Cr.P.C., seeking anticipatory bail in Crime No.10 of 2014 on the file of the Station House Officer, I Town Police Station, Visakhapatnam City registered for the offences punishable under Sections 420, 467, 468 and 471 r/w 34 of IPC.

2 The learned counsel for the petitioners strenuously submitted that the petitioner has nothing to do with the bank loan transactions of accused Nos.1 and 2. He further submitted that the bank officials falsely implicated the petitioner in this case, therefore, this is not a fit case to grant anticipatory bail to the petitioner.

3 *Per contra*, the learned Assistant Public Prosecutor for the State of Andhra Pradesh submitted that the allegations made in the complaint, prima facie, constitute the offences alleged to have been committed by the petitioner and hence this is not a fit case to grant anticipatory bail to the petitioner.

4 The facts leading to the filing of the present petition, briefly, are as follows:

5 The Assistant General Manager, Andhra Bank, Visakhapatnam lodged a complaint to the Station House Officer, Visakhapatnam City, who in turn registered a case in Cr.No.10 of 2014 for the offences punishable under Sections 420, 467, 468 and 471 r/w 34 of IPC. The petitioner herein is accused No.3.

6 The petitioner filed Crl.M.P.No.1570 of 2017 on the file of the I Additional Metropolitan Sessions Judge – cum – II Additional District Judge, Visakhapatnam under Section 438 of Cr.P.C and the same was dismissed on 06.06.2017.

7 As per the allegations made in the complaint, the accused Nos.1 and 2 with the help of the petitioner, created fake documents i.e. house documents and vehicle documents and obtained housing and vehicle loans from Indian Oversees Bank, Madhavadhara branch, Indian Bank, Dwarakanagar branch, Cooperative Central Bank, Visakhapatnam, Life Insurance Corporation of India Housing Fiannce, Visakhapatnam and Private financiers also with an ulterior motive.

8 A perusal of the record prima facie reveals that the petitioner along with other accused cheated the banks and other private financial institutions.

9 Having regard to the facts and circumstances of the case and also the nature of offences alleged to have been committed by the petitioner, I am of the considered view that this is not a fit case to grant anticipatory bail to the petitioner and accordingly this petition is liable to be dismissed.

10 In the result, the Criminal Petition is dismissed.

T.SUNIL CHOWDARY, J

Date: 2nd August 2017
Kvsn