

THE HON'BLE SRI JUSTICE T. SUNIL CHOWDARY

CRIMINAL PETITION No.7968 of 2017

ORDER:

This petition is filed, by the petitioner-accused No.1, under Section 438 Cr.P.C., seeking anticipatory bail in Crime No.306 of 2017 on the file of the Station House Officer, Chilkaiguda Police Station, Hyderabad City, registered for the offences punishable under Section 384 I.P.C. and Sections 3 and 5 of the Andhra Pradesh (Telangana Area) Money Lenders Act, 1349 Fasli.

2. The learned counsel for the petitioner submitted that the petitioner was falsely implicated in this case basing on the alleged confessional statements of the other accused. He further submitted that the petitioner has nothing to do with the alleged offences.

3. The learned Additional Public Prosecutor submitted that at the instructions of the petitioner, accused Nos.2 to 4 are lending money to the needy people and collecting heavy amounts without any licence.

4. The case of the prosecution is that on 20.05.2017 on receiving reliable information, the Commissioner's Task Force, North Zone area, Secunderabad, raided the houses of accused Nos.2 to 4 and seized an amount of Rs.1,42,000/-, cell phones and note books. It is the further case of the prosecution that at the instance of the petitioner, the other accused are lending money to the needy people and collecting double the amount within 100 days. It is also the case of the prosecution that the petitioner and other accused have not obtained licence to carry on money lending

business. Basing on the complaint lodged by the Sub-Inspector of Police, Chilkalguda Police Station, the above case was registered.

5. The petitioner filed CrI.M.P.No.2405 of 2017 on the file of the Court of the Special Judge for trial of offences under S.Cs. and S.Ts. (POA) Act-cum-VI Additional Metropolitan Sessions Judge, Secunderabad, and the same was dismissed on 02.08.2017 on the ground that the investigation is pending.

6. A perusal of the record reveals that the investigating agency seized an amount of Rs.1,42,000/-, pocket note books and cell phones from the possession of accused Nos.2 to 4. The record further reveals that the petitioner along with the other accused are lending money to the needy people in Chilkalguda, Warasiguda and Secunderabad and collecting double the amount within 100 days. The record also reveals that the petitioner along with the other accused carrying on money lending business without licence. A perusal of the record *prima facie* reveals the role played by the petitioner in the commission of the offences.

7. Taking into consideration the nature of the offences alleged to have been committed by the petitioner as well as 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.

8. Accordingly, the Criminal Petition is dismissed.

T.SUNIL CHOWDARY, J

Date: 06.10.2017
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