

HON'BLE Dr. JUSTICE SHAMEEM AKTHER

CRIMINAL PETITION No.11058 OF 2017

ORDER:

This Criminal Petition, under Section 438 of Cr.P.C., is filed by the petitioner/A.1, seeking anticipatory bail in the event of her arrest in connection with F.I.R. No.352 of 2017, on the file of Jammala Madugu Urban Police Station, Y.S.R. Kadapa District, registered for the offences under Sections 420 R/w. 34 of I.P.C. and Section 4 of The Prize Chits and Money Circulation Schemes (Banning) Act, 1978 (for short, 'the Act').

Heard the learned counsel for the petitioner/A.1, learned Additional Public Prosecutor appearing for the respondent-State, and perused the record.

Learned counsel for the petitioner would submit that no chit-fund business was conducted by the petitioner or any of her family members; the petitioner is innocent, got two small children; her husband died some time back in March, 2017; there is no application of provisions of Section 420 of I.P.C. and ultimately prayed to allow the Petition.

As per the material on record, the petitioner/A.1 along with her husband Srinivasulu was running chit-fund business for the last 12 years and in that process, they got indebted to several persons in their village, for which a panchayat was also conducted, wherein it was agreed by the petitioner and her family members to clear off the total indebted amount of Rs.1,20,00,000/- by selling their properties. Thereafter, the petitioner and her family members *i.e.*, A.2 to A.5 did not keep up their promise to clear the debts of the *de-facto* complainant and other chit-fund subscribers. There is no license to the petitioner/A.1 to run the chit-fund business; an amount of Rs.1,20,00,000/- relating to several chit-fund subscribers is

involved in this crime. The allegations are grave; the matter requires thorough investigation. As there is every possibility of the petitioner/A.1 threatening the witnesses and causing disappearance of the evidence, if she is released on bail, it is not a fit case to enlarge the petitioner/A.1 on bail under Section 438 Cr.P.C.

Hence, the Criminal Petition is dismissed.

In consequence, miscellaneous petitions, if any, pending in this Criminal Petition shall also stand dismissed.

Date: 28.11.2017.
Dsh

Dr. SHAMEEM AKTHER, J



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Date. 28.11.2017

DSH