

HON'BLE Dr. JUSTICE SHAMEEM AKTHER

CRIMINAL PETITION No.12034 OF 2017

ORDER:

This Criminal Petition is filed by the petitioner/A.4 under Section 438 of Cr.P.C. for grant of anticipatory bail to him in Crime No.210 of 2016 of III Town Police Station, Nellore, registered for the offence punishable under Section 420 I.P.C.

2. Heard the learned counsel for the petitioner/A.4, learned Additional Public Prosecutor representing the respondent-State and perused the record.

3. The learned counsel for the petitioner/A.4 would submit that the petitioner is an innocent person and she is falsely implicated in this case. She has no acquaintance with the *de facto* complainant. The petitioner/A.4 has not seen the *de facto* complainant at any point of time, and ultimately prayed to allow the application.

4. On the other hand, the learned Additional Public Prosecutor opposed for grant of bail to the petitioner/A.4.

5. The material placed on record reveals that when the *de facto* complainant went to the office of the Superintendent of Police, the accused No.1 developed acquaintance with the *de facto* complainant and promised to settle the civil dispute pending between the *de facto* complainant and other person. In that process, A.1 and A.2 demanded Rs.20 lakhs from the *de facto* complainant and collected the same.

6. As per the material on record, the accused No.2 is the husband of the petitioner/A.4. A.1 and A.2 confessed that the amount of Rs.18 lakhs is transferred to the account of the petitioner/A.4. The name of A.3, by mistake, is added in this case. This petitioner herein is accused No.3 in

the instant crime. There are specific and grave allegations against this petitioner. The matter requires thorough investigation. There is a possibility of transfer of money from the account of the petitioner herein to some other account. Further, there is also possibility of causing disappearance of material evidence. The punishment for the offence alleged is also stringent. Under these circumstances, the petitioner is not entitled for bail under Section 438 Cr.P.C.

7. Accordingly, the Criminal Petition is dismissed.

Dr. SHAMEEM AKTHER, J

Date: 15-12-2017.

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