

**HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH**

TUESDAY, THE TWELFTH DAY OF DECEMBER,
TWO THOUSAND AND SEVENTEEN

:PRESENT:

THE HON'BLE DR JUSTICE SHAMEEM AKTHER
CRLP .NO:11600 of 2017

Between:

1. Rallapudi Srinu @ Srinivasa Rao, S/o Krishna
 2. Smt. Rallapudi Padma, W/o Krishna,
 3. Rallapudi Sankar, S/o Krishna,
- Petitioners/Accused Nos 1 to 3
AND

The State of A.P through SHO., II Town Police Station, Vijayawada,
Krishna District, rep. by its Public Prosecutor, High Court, Hyderabad.

.....Respondent/Complainant

Petition under Sections 437 & 439 of Cr.P.C, praying that in the circumstances stated in the memo of grounds filed herein, the High Court may be pleased to enlarge the petitioners herein on bail in connection with Cr.No. 426 of 2017 of II Town Police Station, Vijayawada City, Krishna District.

The petition coming on for hearing, upon perusing the Petition and the memorandum of grounds filed in support thereof and upon hearing the arguments of Sri Sreenivas Padala, Advocate for the Petitioners, and of Addl. Public Prosecutor (AP) for Respondent, the Court made the following.

ORDER:

This Criminal Petition, under Sections 437 & 439 of the Code of Criminal Procedure, 1973, is filed by the petitioners-A1 to A3, seeking enlargement on bail in Crime No.426 of 2017 on the file of II Town Police Station, Vijayawada City, Krishna District, registered for the offences under Sections 406 & 420 of I.P.C. and Sections 3 and 4 of Prize, Chits and Money Circulation (Banning) Act and Section 5 of the A.P. Protection of Depositors of Financial Establishments Act.

2. Heard the learned counsel for petitioners, learned Additional Public Prosecutor representing the respondent-State and perused the record. Petitioners-A1 and A3 are the sons of petitioner-A2.

3. Learned counsel for the petitioners would submit that earlier the *de facto* complainant lodged a report and it was compromised and an amount of Rs.2.00 lakhs was due to the *de facto* complainant and the same was paid, The petitioners are in judicial custody from 02.11.2017 and most part of the investigation is completed and ultimately, prayed the Court to allow the application.

4. On the other hand, the learned Additional Public Prosecutor opposed the grant of bail to the petitioners-A1 to A3 and contended that the petitioners ran private chits, cheated 34 persons and they have been collected an amount of Rs.29.00 lakhs from the depositors. The chit business relates to the years 2012 to 2014 and the investigation is yet to be completed and ultimately, prayed the Court to dismiss the application.

5. The point for determination is whether the petitioners-A1 to A3 are entitled for bail?

6. As per the material placed on record, the petitioners-A1 to A3 were remanded to the judicial custody on 02.11.2017, petitioner No.2 is the women aged 65 years old and she has health problems. The alleged chit business relates to the years 2012 to 2014. As per the submissions made, 34 witnesses were examined. It is also brought to the notice of this Court that the petitioners-A1 to A3 were in judicial custody for a period of forty two days. Having regard to the nature of allegations and the material collected so far, the petitioners-A1 to A3 are entitled for bail on certain terms and conditions.

Accordingly, the Criminal Petition is allowed and the petitioners-A1 to A3 are ordered to be released on bail on their executing a personal bond each for a sum of Rs.25,000/- (Rupees Twenty five thousand only) with two sureties in a like sum each to the satisfaction of the learned Chief

Metropolitan Magistrate, Vijayawada. Further, the petitioners-A1 to A3 shall report before the Station House Officer, II Town Police Station, Vijayawada City, Krishna District, on every Saturday and Sunday between 9.00 A.M. and 12.00 noon till filing of the charge sheet.

Miscellaneous petitions, if any, pending in this Criminal Petition, shall stand closed.

ASSISTANT REGISTRAR

//TRUE COPY//

For ASSISTANT REGISTRAR

To

1. The Chief Metropolitan Magistrate, Vijayawada, Krishna District
2. The Metropolitan Sessions Judge Spl. Judge for Trial of A.P.P.D.F.E. Act Cases, at Hyderabad
3. The Superintendent, District Jail, Vijayawada, Krishna District
4. The Station House Officer, II Town Police Station, Vijayawada City, Krishna District
5. Two CCs to Public Prosecutor (AP), High Court, Hyderabad (OUT)
6. One CC to Sri Sreenivas Padala, Advocate (OPUC)
7. One spare copy

Skm



HIGH COURT

DR.SA,J

**Drafted by: skm
Drafted on: 13-12-2017**

DATE: 12-12-2017



ORDER

CRL.P. NO. 11600 of 2017

DIRECTION