

THE HON'BLE DR. JUSTICE SHAMEEM AKTHER

CRIMINAL PETITION NO.12021 OF 2017

ORDER:

This petition is filed under Section 438 Cr.P.C. to grant anticipatory bail to the petitioner-accused for the offences alleged under Sections 420 and 409 r/w 24 IPC.

2. Heard learned counsel for the petitioner-accused, learned Additional Public Prosecutor representing the State and perused the record.

3. Learned counsel for the petitioner-accused would submit that the petitioner-accused is not responsible for the alleged offences. The petitioner-accused has rightly obtained the visa of the de facto complainant and sent him to Bangkok. The de facto complainant worked there for some time as Teacher. There are photos to show the same. The petitioner-accused has not cheated the de facto complainant or any other person. All the allegations are false and ultimately, prayed to allow the application.

4. On the other hand, learned Additional Public Prosecutor opposed the grant of bail to the petitioner-accused.

5. The material on record reveals that the petitioner-accused has collected an amount of Rs.1,70,000/- to provide employment to the de facto complainant in Bangkok and gave a visa. On 27.11.2016 when the de facto complainant reached Bangkok through Chennai, he came to know that he has no valid visa. Immediately, he was sent back to India on 29.11.2016. Again the de facto complainant was sent to Bangkok with

another visa. Thereafter, he was forced to return to India. The copies of visa placed before this Court reveals that the de facto complainant was given visa of Non-Immigrant, Category B and he has to ply from Chennai to Bangkok between 16.11.2016 to 15.02.2017. So, the visa is not employment visa, it is a visa to visit. There are also allegations that the petitioner-accused has collected huge money from other persons. The matter requires thorough investigation. The earlier bail applications filed by the petitioner-accused were dismissed by the XV Metropolitan Sessions Judge, Cyberabad, Kukatpally, vide orders, dated 07.09.2017, 05.10.2017 and 08.11.2017 in CrI.M.P.Nos.3383 of 2017, 3731 of 2017 and 4527 of 2017 respectively. There is element of cheating and fraudulently obtaining money from the de facto complainant and others is present. Therefore, it is not a fit case to grant bail to the petitioner under Section 438 Cr.P.C.

6. Accordingly, the Criminal Petition is dismissed.

DR.SHAMEEM AKTHER, J

DATED: 20-12-2017

Hsd