

**THE HON'BLE DR. JUSTICE SHAMEEM AKTHER**

**CRIMINAL PETITION No.11833 OF 2017**

**ORDER:**

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

This petition is filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner/A.1 in Crime No.358 of 2017 of Neredmet Police Station, Rachakonda, Ranga Reddy District for the offences punishable under Sections 406, 420, 468, 471 and 120-b IPC read with Section 34 IPC.

Learned counsel for the petitioner/A.1 would submit that the petitioner is an innocent person and falsely implicated in this case. There is a memorandum of understanding entered between the de facto complainant and the petitioner/A.1 to avoid irregularities in the conduct of business. The dispute between the parties is civil in nature. Therefore, a false report is lodged against the petitioner/A.1 and his wife and ultimately prayed to allow the petition.

Learned Additional Public Prosecutor opposed the grant of bail to the petitioner.

The material placed on record reveals that the petitioner/A.1 approached the de facto complainant and represented him that he is having vast experience in the field of marketing and offered himself to act as consultant of the de facto complainant firm. Believing the representation of the petitioner/A.1, the de facto complainant entered into a Memorandum of Understanding and appointed the petitioner/A.1 as consultant of the de facto

complainant firm. The petitioner/A.1 through his E mail, dated 02.07.2015 forwarded purchase orders for supply of integrated circuits, connectors, cable assembly, data transfer cards and green lasers with drivers. The purchase order also direct the de facto complainant to procure the items from A.3, A.4 and A.5. The de facto complainant firm made payments of Rs.38,55,560/- to A.3, Rs.25,39,002/- to A.4 and Rs.45,59,834/- to A.5 for supply of the said items to Ionnix Aero Tech Private Limited. On enquiry the de facto complainant came to know that Ionnix Aero Tech Private Limited never raised any purchase orders. The petitioner/A.1 forged the letter heads of Ionnix Aero Tech Private Limited. A.3, A.4 and A.5 received money from the de facto complainant. Thereafter, they transferred the said money to the account of A.1. When the de facto complainant filed complaint before the learned Judicial Magistrate of First Class, the same was forwarded to the police concerned to register the case and investigate. As seen from the material on record, there are specific and grave allegations and fraudulently receiving money by the petitioner/A.1 by raising false invoices and using letter heads of Ionnix Aero Tech Private Limited. Since there is payment of huge money to the petitioner/A.1 and other accused belonging to the de facto complainant, it cannot be said that there is no element of cheating. The allegations are grave. The matter requires thorough investigation. The release of the petitioner/A.1 under Section 438 Cr.P.C. would hinder the investigation and also there is possibility of causing disappearance of the material witnesses. Therefore, there are no justifiable grounds to allow the petition.

Accordingly, the Criminal Petition is dismissed.

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**Dr. SHAMEEM AKTHER, J**

07<sup>th</sup> December, 2017.  
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