

SMT JUSTICE T.RAJANI

CRIMINAL PETITION No.1958 OF 2018

ORDER:

This petition is filed seeking for grant of anticipatory bail to the petitioners, who are A2 to A8, in Crime No.285 of 2013 on the file of II Metropolitan Magistrate for Railways, Vijayawada. The offences alleged are under Sections 120-B, 408, 201 r/w 114 and 109 of IPC.

2. Heard the counsel for the petitioners and the Public Prosecutor appearing for the respondent.

3. The case of the prosecution is that A1, who is the employee under defacto complainant, who is running a gold shop was asked to bring some gold from Rajasthan and on the way, A1 reported to the defacto complainant that the gold was lost and that he also lodged a complaint. Later on, it came to light that it is A1, who has embezzled with the property and A2 to A8, who are the relatives of A1 also dealt with the said property.

4. Hence, in view of the above, it cannot be said that these petitioners are innocent of the offences which are committed by A1. Hence, this Court opines that it is not a fit case to grant anticipatory bail. The counsel for the petitioner, however, submits that since these petitioners are shown as absconding, NBWs were issued against them and seeks for a direction to the lower court to consider recall of the NBWs on the same day of their filing a petition in that regard.

5. Hence, considering the above submission and also considering the fact that this court by virtue of the orders in CrI.M.P.No.1718 of 2010, stayed the arrest of A1, this court is inclined to give a direction to the concerned court to consider the recall of the warrants of the petitioners on the same day of their filing a petition for the same.

6. In the result, this criminal petition is disposed of. As a sequel, miscellaneous petitions pending consideration, if any, in this case shall stand closed.

27.02.2018
SS



T.RAJANI, J