

HON'BLE DR. JUSTICE B.SIVA SANKARA RAO

CRIMINAL PETITION No.6789 OF 2018

ORDER:

The petitioner is A-3, among three accused, of Crime No.153 of 2018 of Jagtial Town P.S. of Jagtial District, registered for the offences punishable under Sections 420 and 506 I.P.C.

Heard the learned counsel for the petitioner/A-3 and the learned Public Prosecutor in the anticipatory bail application opposing the bail.

From the report of the de-facto complainant, dated 14.06.2018, which reads de-facto complainant was deceived by one Vallepu Mogili/A-1 to arrange the house plots and collected Rs.18,00,000/- during 2018 and onwards, having executed on a bond paper, and postponing the registration and he is out of reach. It is while so, in March, 2018, Maggidi Gangadhar/A-2 came to the de-facto complainant saying the petitioner/A-3 can arrange from Mogili/A-1 registration of the plots or return of the amount and they both, A-2 and A-3 *supra*, lured with a preplan the complainant to part with further on 07.07.2017, Rs.30,000/- and on 26.07.2017 through cheque No.007439, Rs.20,000/-, and the petitioner/A-3 also executed on a bond paper with a promise to see that they will cause the property from Mogili/A-1 registered, however, they failed to do so and failed to refund Rs.50,000/- also thereby take action.

Though the petitioner claims he is innocent and falsely implicated, there is a *prima-facie* accusation to say not entitled to the concession of anticipatory bail. However, none of the offences are punishable above seven years, thereby Police strictly follow Section 41-A Cr.P.C. and guidelines of the Apex Court in ***Arnesh Kumar Vs. State of Bihar***¹.

¹ 2014 (8) SCC 273

Accordingly, with the above observations, the Criminal Petition is disposed of. However, it is no way bar in future to surrender and move for regular bail, if chooses.

In consequence, miscellaneous petitions, if any, pending in this Petition shall stand closed.

Dr. B.SIVA SANKARA RAO, J

Date: 20.07.2018.
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