

HON'BLE Dr. JUSTICE B. SIVA SANKARA RAO

CRIMINAL PETITION No.7348 of 2018

ORDER :

This criminal petition filed under Section 438 Cr.P.C. by the petitioner/A.1 among three accused in Crime No.313 of 2018 of Gajuwaka Police Station, Vishakhapatnam City, registered for the offence punishable under Section 420 read with 34 IPC.

2. Heard learned counsel for the petitioner and learned Public Prosecutor, representing the State, and perused the material on record.

3. The report of the *de facto* complainant/G.Venkateswara Rao shows her daughter completed B.Tech and taking CAT coaching at Kukatpally, Hyderabad, and their relative, who is A.1, tapped part with money saying on political quota in Vizag Steel Plant, there are Management Trainee jobs and can influence to get the job and lured Rs.21,50,000/- in 2015 and he could not secure any job and failed to repay and thereby cheated.

4. A perusal of the record shows, no way the petitioner entitles to the concession of anticipatory bail. However, for none of the offences punishable are above seven years, the petitioner is entitled to the protection of Section 41-A Cr.P.C. and as per the guidelines of Apex Court in **Arnesh Kumar v. State of Bihar**¹.

5. With the above observation, the criminal petition is dismissed.

¹ (2014) 8 SCC 273

Miscellaneous petitions pending, if any, shall stand closed.

Dr. B. SIVA SANKARA RAO, J

6th August 2018.

mar

