

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

CRIMINAL PETITION No.12452 OF 2017

ORDER:

This Criminal Petition is filed under Section 438 Cr.P.C. seeking to grant anticipatory bail to the petitioners-A.1 to A.8 in Crime No.330 of 2017 of Jadcherla police station, Mahaboobnagar District registered for the offences punishable under Sections 420 IPC and 5 of the Andhra Pradesh Protection of Depositors of Financial Establishments Act, 1999.

2. Heard the learned counsel for the petitioners-A.1 to A.8, the learned Additional Public Prosecutor and perused material available on record.

3. The learned counsel for the petitioners-A.1 to A.8 would submit that the petitioners-A.1 to A.8 are innocent persons and falsely implicated in this case; that they are not at all running any chit business, and that they are lending money under due license; that all the allegations against them are false and ultimately, prayed to allow the application.

4. On the other hand, the learned Additional Public Prosecutor appearing for the respondent-State opposed the grant of bail to the petitioners-A.1 to A.8 under Section 438 Cr.P.C.

5. In view of the contentions put forth by both sides, the point for determination is whether the petitioners-A.1 to A.8 can be granted bail under Section 438 Cr.P.C.?

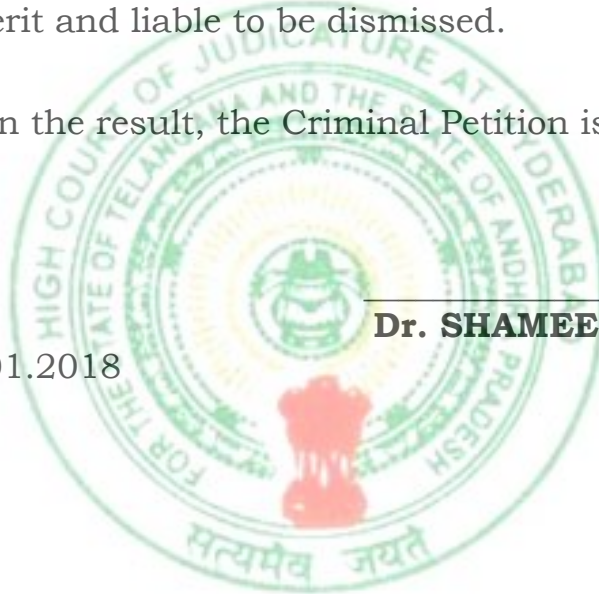
6. The material placed on record and the submissions made in this case reveal that the petitioners-A.1 to A.8 are doing chit business. There is also partnership deed to do chit business. There is no license to do chit business.

Copies of several receipts are produced before this Court to show running of chit business by the petitioners-A.1 to A.8. There is also specific allegation in the First Information Report with regard to joining of members in chits, collecting subscriptions and committing default in payment of prize money. Under these circumstances, it cannot be held that the petitioners-A.1 to A.8 are not running chit business and are innocent persons. In the event of granting bail, there is possibility of causing disappearance of evidence. Certainly, release of petitioners would hinder investigation. There are no justifiable grounds to enlarge the petitioners-A.1 to A.8 on bail under Section 438 Cr.P.C. The Criminal Petition is devoid of merit and liable to be dismissed.

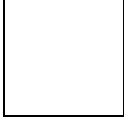
7. In the result, the Criminal Petition is dismissed.

Date: 04.01.2018
DRK

Dr. SHAMEEM AKTHER, J



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04.01.2018

DRK