

HONOURABLE Dr. JUSTICE B.SIVA SANKARA RAO

CRIMINAL PETITION No.841 OF 2019

ORDER:

The petitioners are accused Nos.7 to 12 in crime No.51 of 2019 of Ramachandrapuram Police Station, Sangareddy District, registered on 02.02.2019 for the offences punishable under Section 420 IPC and Section 5 of AP Protection of Depositors Financial Establishment Act 1999 and they are now seeking anticipatory bail.

The averments in the anticipatory bail application are that they are office bearers of Sun Pariwar Mutually Aided Cooperative Society and police are trying to rope them in one or other criminal cases, the society conducted General Body meeting on 17.07.2017 where membership of 22 members removed and the complaint lodged as a counter blast to the said general body meeting at the behest of removed members of the society and even if there is mismanagement of the funds from the cooperative society for hypothesis sake, it is the Registrar of the cooperative society to take appropriate steps against the President and members of the society under the provisions of the Mutually Aided Cooperative Society Act and no action taken by the Registrar of Cooperative Society for there are no any irregularities and the society is running as per bye-laws and provisions of the Act and they are ready to furnish solvency and abide by such conditions and are entitled to anticipatory bail for A.1 to A.5 already arrested in

crime No.521 of 2018 of Shameerpet Police Station and after 2 days police custody, they were released on regular bail by the learned Metropolitan Sessions Judge and they obtained anticipatory bail in crime No.624 of 2018 of Alwal Police Station granted by Metropolitan Sessions Judge and thereby they are entitled to anticipatory bail herein even.

Learned counsel for the petitioners reiterated the same in seeking anticipatory bail, whereas learned Public Prosecutor opposed the same.

Heard and perused the grounds in the anticipatory bail application vis-à-vis FIR and remand report of accused Nos.2 to 5 & 13 to 15.

From the allegations in registration of the crime and from the remand report supra from progress of investigation, the defacto complainant-T.Vijay Kumar including his father-Bakkappa's retirement benefits, besides his business income invested in the entity of the accused from their say of it is a good scheme as Pariwar group of companies by lured to come to Sitara Hotel where Bangla Shankar-A12 introduced CEO of Sun Pariwar company M. Ravinder who lured by saying if Rs.1,00,000/- deposited in their company, the company will pay depositors Rs.6,000/- per month for 25 months and the entire principal amount of Rs.1,00,000/- will be paid at 26th month and the complainant believed the sweet coated words and deposited as referred supra Rs.2,00,000/- on 10.11.2018

at their Sangareddy branch and they sent a message of his user ID SM8345196 and after one month when he went to Sun Pariwar Office at Sanga Reddy for the company neither credited Rs.6,000/- to the bank account nor paid in cash and when asked the management they did not pay by saying could not, but will pay later and even he went on the next month they repeated the same and on enquiry from all the accused shown conspired together in luring public in extracting the amounts in crores of rupees by cheating the innocent public in not paying the amount as per the terms explained and introducing in investing thereby cheated and misappropriated by non-payment of the invested amount. The crime therefrom registered and as per the remand report it is against 15 or more accused in all. The arrested persons made disclosure statement of their complicity and how they are cheating the innocent public. When such is the modes operandi and the investigation is still pending with large magnitude of embezzlement by luring the innocent public and the FIR speaks their names, they are not entitled to the concession of anticipatory bail at this stage and the fact that in other earlier crimes they were enlarged on anticipatory bail or regular bail itself not a ground, but for if at all to avail any liberty to surrender and move for regular bail to consider on own merits.

Accordingly and in the result, this Criminal Petition is dismissed.

Miscellaneous petitions, if any, shall stand closed.

Dr. B. SIVA SANKARA RAO, J

Date: 21.02.2019
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