

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

MONDAY, THE FIFTEENTH DAY OF APRIL
TWO THOUSAND AND NINETEEN

:PRESENT:

THE HONOURABLE SRI JUSTICE SANJAY KUMAR
CRIMINAL PETITION NO: 1664 OF 2019



Between:

Srikanth Chintalapati, S/o. Chintalapati Subrahmanyam,

Petitioner/Accused No.1

AND

The State of Telangana, Rep. by its Public Prosecutor, High Court at
Hyderabad (Through S.H.O., P.S. Banjara Hills, Hyderabad District)

Respondent

Petition under Section 438 of Cr.P.C, praying that in the circumstances stated in the affidavit filed in support of the Criminal Petition, the High Court may be pleased to grant anticipatory bail to the petitioner/A. 1 in the event of his arrest in connection with Crime No. 1129 of 2018, on the file of P.S. Banjara Hills, Hyderabad District

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof upon hearing the arguments of SRI ROHIT POGULA Advocate for the Petitioner and the PUBLIC PROSECUTOR for the Respondent, the Court made the following.

ORDER:

HONOURABLE SRI JUSTICE SANJAY KUMAR

CRIMINAL PETITION No.1664 of 2019

ORDER:

This petition for anticipatory bail, under Section 438 Cr.P.C., was instituted by accused No.1 in Crime No.1129 of 2018 on the file of Banjara Hills Police Station, Hyderabad District, which was registered under Sections 420, 406 and 477-A I.P.C. This crime was registered as long back as on 26.11.2018.

The complaint which led to the registration of the aforesaid crime was to the effect that the petitioner and accused No.2 indulged in many irregularities and misappropriated the funds of Aeries Technology Group Private Limited, in which the petitioner worked as the Chief Operating Officer from 01.8.2012 to 31.8.2018.

Though the learned Additional Public Prosecutor would inform this Court that only one witness has been examined and material is still being collected in relation to the complaint, he has no answer as to why no steps have been taken till date though the petitioner himself submitted a lengthy reply to the Station House Officer, Banjara Hills Police Station, Hyderabad District, on 04.12.2018 itself.

Further, the learned Additional Public Prosecutor would place reliance on the resolutions dated 31.3.2015 and 22.7.2016 of the Board of Directors of Aeries Technology Group Private Limited in support of his contention that there is a possibility that the petitioner colluded with the other accused to cause loss to the company. Perusal of the said resolutions demonstrates that the petitioner was only authorised thereunder to accept and convey the terms and

conditions for acquiring on lease IT hardware or software or any ancillary products or any other assets from Prime Assetsource Private Limited for a sum not exceeding Rs.1 crore or sign and execute Master Rental Agreements/Lease Agreements apart from signing, executing and registering a lease agreement for office space at a particular location situated in Banjara Hills, Hyderabad.

Prima facie, these resolutions do not indicate that the petitioner was entrusted with any financial powers in relation to the procurement of equipment or leasing of property.

As the investigation seems to be progressing at a snail's pace and as no effective steps have been taken by the police authorities against the petitioner till date, this Court is of the opinion that the petitioner may be granted anticipatory bail subject to conditions.

The Criminal Petition is accordingly allowed. In the event of arrest of the petitioner, accused No.1 in Crime No.1129 of 2018 on the file of Banjara Hills Police Station, Hyderabad District, he shall be enlarged on bail upon his furnishing a personal bond for a sum of Rs.50,000/- (Rupees Fifty thousand only) along with two sureties for a like sum each to the satisfaction of the Station House Officer, Banjara Hills Police Station, Hyderabad District. The petitioner shall however abide by the conditions prescribed in Section 438 (2) Cr.P.C.

//TRUE COPY//

Sd/- P.SATYAKALA
ASSISTANT REGISTRAR

For ASSISTANT REGISTRAR

To,

1. The III Additional Chief Metropolitan Magistrate at Hyderabad.
2. The Station House Officer, Banjara Hills P.S. Hyderabad.District.
3. One CC to SRI. ROHIT POGULA Advocate [OPUC]
4. Two CCs to The PUBLIC PROSECUTOR, High Court at Hyderabad.
5. One Spare Copy

GR

HIGH COURT

SKJ

DATED:15/04/2019

ORDER

CRLP.No.1664 of 2019

BAIL



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