

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILU

CRIMINAL PETITION No.2583 of 2019

ORDER:

This petition is filed under Section 438 of the Criminal Procedure Code seeking grant of anticipatory bail to the petitioner, who is accused in Cr.No.152 of 2018 on the file of Mahabubabad Town Police Station registered for the offences punishable under Sections 406, 408, 420 and 468 IPC.

2. Heard the learned counsel for the petitioner and the learned Public Prosecutor appearing for the respondent.

3. The allegations levelled against the petitioner is that he lured customers in various branches to buy TAFE Massey Ferguson Tractors and collected huge amount from them and misappropriated the said amount. Earlier, the anticipatory bail application filed by the petitioner before the VI Additional Sessions Judge, Mahabubabad, was dismissed vide order dated 15.06.2018. Thereafter, this Court vide order dated 28.09.2018 dismissed anticipatory bail application of the petitioner vide CrI.P.No.8513 of 2018.

4. Learned counsel appearing for petitioner has contended that the petitioner has been falsely implicated in the above said crime. He further contends that the complaint itself is not maintainable. The allegation levelled against the petitioner is totally false and incorrect. The petitioner is innocent and law abiding citizen and he would co-operate with the investigating authorities as and when required.

5. Learned Public Prosecutor has contended that the petitioner has misappropriated the amount of Rs.1,87,00,000/- by playing fraud and forgery and cheated various customers. Moreover, this Court already rejected the anticipatory bail application of the petitioner vide order dated 28.09.2018. Therefore, the request of the petitioner for grant of anticipatory bail cannot be considered.

6. This Court, having considered the above submissions, is of the considered view that the petitioner is not entitled for grant of anticipatory bail. However, the petitioner is absconding since 2018 and he is willing to come forward and assist the investigating agency as and when required. Therefore, the petitioner is directed to surrender before the Principal Judicial First Class Magistrate, Mahabubabad, within ten days from the date of receipt of a copy of this order. On such surrender, the Court below shall consider the bail application and pass appropriate orders on the same day in accordance with law.

7. The criminal petition is accordingly disposed of.

ABHINAND KUMAR SHAVIL, J

Date: 08.05.2019
Prv