

HON'BLE JUSTICE G. SRI DEVI

CRIMINAL PETITION No.2798 of 2019

ORDER :

This Criminal Petition under Section 438 of Cr.P.C. is filed by the petitioner/A.1 seeking anticipatory bail in connection with FIR No.21 of 2019 of Geesugonda Police Station, Warangal Rural, Warangal District, registered for the offence punishable under Section 420 IPC.

The case of the prosecution is that the defacto complainant has lodged a complaint on 09.02.2019 stating that he along with his friends Manyam Sagar, Nalluri Vasu and Alla Veerabhadra Rao were intended to go abroad for employment and in that connection, they met the petitioner/A.1 and on his assurance they paid a sum of Rs.3,25,000/- to him, that thereafter the petitioner/A.1 handed over these four persons to one Pratap stating that he will do the remaining process, that thereafter the said Pratap introduced one Rithu Patel, a resident of Mumbai through conference call and amounts were paid to her, thereafter when they were trying to call Mr. Pratap, they did not get any response from him, that whey they contacted Rithu Patel, she asked them to come to Mumbai and when they went to Mumbai and met her, she informed that Mr. Pratap has not given any amount to her, that thereafter the said Rithu Patel sent some Armenia Country Visas and believing her words to send whatever amount they were holding, they transferred

Rs.5,60,000/- and Rs.9,16,000/- through their Bank account and also through mee-seva, that thereafter the said Rithu Patel asked them to come to Mumbai and when they went to Mumbai on 22.01.2019, the said Rithu Patel sent a Whats App Message stating that she was subjected to fraud and when the Visa copies given by the said Rithu Patel were sent to Canada Embassy, they were found to be fake Visas and accordingly, the complainant requested to take necessary action against the accused persons. Basing on the said complaint, Crime No.21 of 2019 of Geesugonda Police Station was registered for the aforesaid offence.

Heard learned counsel for the petitioner/A.1 and the learned Additional Public Prosecutor appearing for the respondent State. Perused the material on record.

Learned counsel for the petitioner/A.1 contended that no specific allegations are made against the petitioner/A.1 in the above complaint. It is contended that the petitioner neither demanded nor received any money from the complainant as alleged in the complaint. It is also contended that the petitioner is innocent of the offence alleged against him and he has nothing to do with the alleged offence. It is also contended that most part of investigation has already been completed and that the petitioner is ready to abide by any conditions imposed by this Court, including assisting the investigating agency in the event of his release on anticipatory bail in connection with the above crime.

On the other hand, the learned Additional Public Prosecutor opposed the relief sought in the above petition stating that the petitioner has introduced the defacto complainant to the other accused persons and there are specific allegations made against the petitioner/A.1 and others under the guise of getting Visas to the complainant and others and that they have received a sum of Rs.3,25,000/- from the complainant and others and hence the petitioner/A.1 is not entitled for grant of anticipatory bail.

From a perusal of the contents of the complaint and the record, it is clear that the allegations levelled against the petitioner/A.1 are serious in nature. Further, there are specific allegations made against the petitioner/A.1 that he has received an amount of Rs.3,25,000/- from the complainant and others on the false pretext of getting Visas to them. Therefore, in view of serious allegations made against the petitioner/A.1 and keeping in view the gravity of offence alleged against him, I am not inclined to grant anticipatory bail to the petitioner/A.1. However, the petitioner/A.1 is directed to surrender before the Court below concerned and move an application for regular bail, after giving prior notice to the Public Prosecutor concerned and, in which event, the same may be considered on such terms and conditions in accordance with law.

Accordingly, the Criminal Petition is dismissed.

As a sequel, miscellaneous petitions pending, if any,
shall stand closed.

JUSTICE G. SRI DEVI

24.06.2019.

Msr



HON'BLE JUSTICE G. SRI DEVI

CRIMINAL PETITION No.2798 of 2019



24.06.2016
Msr