HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION NO. 3134 of 2019

ORDER :

1. The petitioner, who is accused No.1, filed the present application under Section 438 Cr.P.C. seeking release in the event of his arrest in connection with Crime No.214 of 2019 of Saroornagar Police Station, Rachakonda, registered for the offences punishable under Sections 406, 420, 468, 471, 506 read with Section 120 (B) IPC.

2. The case of the prosecution is that the informant and her husband got acquaintance with A2, who took them to the petitioner/A1, who is the shadow of A8 (National General Secretary, BJP), informed them that that he would get a nominated post, but they were reluctant to acquire the said post. Thereafter, A1 to A3, A5 to A7, A8 and A9 induced the informant and her husband, took an amount of Rs.2,17,00,000/- from them under the pretext that the husband of the informant would be appointed as Chairperson of Pharma Exil. It is alleged that in order to create confidence, the accused have even produced Xerox copy of a letter signed by Smt.Nirmala Sitaraman, the Central Government Cabinet Minister, to the informant and her husband. Since then, the informant and her husband started requesting the accused to return the money, but there was no response from them and A8 started threatening them. Thereafter, A4 approached the informant and her husband and promised to return the money to the informant. Subsequently, A1 also promised to return a sum of Rs.2,05,00,000/- to the informant on 10.08.2016, but he failed to do so. On 24.08.2016, the said

issue was telecasted in electronic media and in the second week of September, 2016, on receiving notice from police, when the informant and her husband approached before the Inspector of Police on 19.09.2016, for investigation in relation to another crime registered against A1 and others for forged signature of Smt.Nirmala Sitaraman, the informant revealed the acts of the accused and A1 during the said investigation confessed that he has colluded with other accused and took an amount of Rs.2,10,00,000/- under the guise of getting nominated post. Hence, the present crime came to be registered.

3. Heard learned counsel for the petitioner and learned Additional Public Prosecutor.

4. It has been submitted by the learned counsel for the petitioner that there is no specific allegation against the petitioner and there are several discrepancies in the alleged written undertakings as well as in the complaint. It is also stated that the petitioner is the sole bread winner and the whole family is depending upon him only.

5. Learned Additional Public Prosecutor opposed the anticipatory bail application. He stated that investigation is still pending and if the petitioner is released on anticipatory bail, there is every chance of evading the process of law.

6. Looking into the nature of allegations leveled against the petitioner, gravity of the offences alleged and in view of the facts and circumstances of the case, I am not inclined to grant anticipatory bail to the petitioner.

7. Accordingly, this Criminal Petition is dismissed.

JUSTICE G. SRI DEVI

21.06.2019
vhb

HIGH COURT FOR THE STATE OF TELANGANA
HYDERABAD

HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION NO. 3134 of 2019

Date: 21.06.2019

vhb