

THE HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION No. 3205 of 2019

ORDER :

This Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973, is filed by the petitioners/accused, for grant of anticipatory bail in Crime No.186 of 2019 of A.J. Mills Colony Police Station, Warangal, registered for the offences punishable under Sections 417, 420 of IPC and Sections 4 and 5 read with 76 of the Chit Funds Act.

2. Heard the learned counsel for the petitioners/accused, the learned Additional Public Prosecutor representing the respondent-State and perused the record.

3. Learned counsel for the petitioners/accused would contend that since the petitioners filed a suit against the *de facto* complainant and obtained injunction order, as a counter blast, this case is foisted against them. Hence, he prayed to grant bail to the petitioners.

4. Learned Additional Public Prosecutor representing the respondent/State opposed to grant bail to the petitioners/accused.

5. The material placed on record reveals that the petitioners are running an unregistered chit fund company. The *de facto* complainant joined as a subscriber in the said chit and paid 23 instalments @ Rs.12,500/- per month. While so, at the request of the petitioners, the *de facto* complainant has given one lakh for construction of their house. But they did not repay the chit amount as well as the said one lakh. When the *de facto* complainant demanded for repayment of the said amounts, the petitioners threatened and deceived him.

6. The petitioner/A.1, being a Government employee, cannot run the chit fund company. The chit amount as well as the hand loan amount was not returned to the *de facto* complainant. The petitioners in order to evade the payments made by the *de facto* complainant foisted a false case against him to escape from their liability. In view of the nature of the allegations levelled against the petitioners, this Court is not inclined to grant bail under Section 438 Cr.P.C.

7. Accordingly, the Criminal Petition is dismissed.

25.06.2019
ssp

JUSTICE G. SRI DEVI

