HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION NO.3667 OF 2019

ORDER:

This Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973 (Cr.P.C.), is filed by the petitioner/accused, for grant of anticipatory bail in Crime No.84 of 2019 of C.C.S. Police Station, Hyderabad District, registered for the offences punishable under Sections 406, 420, 468 and 471 of the Indian Penal Code.

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

In the FIR, it is *inter alia* stated that on 23.04.2019 the *de facto* complainant lodged a complaint stating that as per the request of the accused, the Canara Bank, M.J. Market branch has sanctioned OCC/ODBD limit of Rs.75 lakhs on 13.02.2014. The account was renewed from time to time as per their existing guidelines and was enhanced to Rs.1 crore on 22.09.2016 and later bank guarantee facility of Rs.1 crore was sanctioned on 29.12.2017. The entire loan amounts were granted against security of mortgage of property i.e. land admeasuring 271 square yards in plot Nos.55 and 131 in Survey Nos.27, 12, 13, 14, 19, 20, 21, 22, 28 and 29 along with built up area in ground floor with 1230 square feet and in first floor with 1370 square feet total of 2600 square feet and constructed duplex house at Pet-Basheerabad, Qutubullapur Mandal, Ranga Reddy District vide sale deed No.15424 dated 09.11.2004 of SRO, Medchal. Later the account was classified as NPA with effect from 30.09.2018. On enquiry, it is known that the petitioner has deposited his title deed document No.15424/2004 with State Bank of Hyderabad, Habsiguda Branch for availing loan facility and executed deposit of title deeds No.360/2012 as one of the collateral security in the form of equitable mortgage covering the above said property. The accused concealed the above said fact and created a fake title deed document No.15424/2004 and deposited the same purporting to be original for availing credit facilities fraudulently from the complainant's bank and caused wrongful loss to the bank to the tune of Rs.2,01,67,187/-.

Learned counsel for the petitioner/accused would submit that the petitioner is innocent and he is no way connected with the alleged offence and a false case is foisted against him to defraud his reputation. The petitioner deposited genuine documents before the bank and after scrutiny and going through legal formalities, the respondent-bank sanctioned loan to the petitioner. Further, the petitioner is the sole proprietor to N.J.L. Plastic Industries and is having very good reputation in the market by supplying goods to the dealers and distributors on credit basis, that they have not paid the amounts regularly and due to that, the petitioner could not pay the amounts to the respondent-bank within stipulated time. Due to some internal disturbances between the respondent-bank and the petitioner, the present crime is registered against the petitioner. Hence, he prayed to grant anticipatory bail to the petitioner/accused.

Learned Additional Public Prosecutor representing the respondent-State opposed to grant anticipatory bail to the petitioner.

Having regard to the facts and circumstances of the case, nature and gravity of the offence, this Court is not inclined to grant anticipatory bail to the petitioner/accused.

The Criminal Petition is, accordingly, dismissed. Miscellaneous applications, if any, pending shall stand dismissed.

(G. SRI DEVI, J)

12th July 2019
RRB