

HON'BLE JUSTICE G. SRI DEVI

CRIMINAL PETITION No.3960 of 2019

ORDER:

This Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973 is filed by the petitioner, who is A.7, for grant of anticipatory bail in the event of his arrest in Crime No.489 of 2018 of Chaitanyapuri Police Station, Hyderabad, Ranga Reddy District, registered for the offences punishable under Sections 420 and 406 r/w. Section 34 of IPC.

The case of the prosecution is that, A.1 conspired with other accused, including the petitioner/A.7 and cheated the defacto complainant fraudulently and dishonestly in saree purchase business to a tune of Rs.1,14,05,913/- and when the defacto complainant requested for return of the amount for not supplying the material, A.1 threatened him with dire consequences. Basing on the complaint lodged by the defacto complainant, the police registered Crime No.489 of 2018 for the aforesaid offences against the petitioner/A.7 and other accused.

Heard learned counsel for the petitioner/A.7 and the learned Additional Public Prosecutor appearing for the respondent State. Perused the material on record.

Learned counsel for the petitioner contends that the petitioner is only a Manager and not the Proprietor of M/s.

Kamakshi Silks, which is the sister concern of Vigneswara Sarees and Readymades, and he is no way concerned with the payments and stock in the shop and that he has been falsely implicated in the above crime. It is also contended that the petitioner is ready to abide by any conditions imposed by this Court, including assisting the Investigating Agency for his release on anticipatory bail in the event of his arrest in the above crime.

On the other hand, the learned Additional Public Prosecutor vehemently opposed the relief sought in the above petition.

As seen from the record, there are specific allegations made against the petitioner that though he received goods on credit basis, he has not paid the amounts for the same as promised and the cheques issued by him were returned due to insufficiency of funds.

Thus, in view of the specific and serious nature of allegations levelled against the petitioner, I am not inclined to grant anticipatory bail to the petitioner/A.7.

Accordingly, this Criminal Petition is dismissed.

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

JUSTICE G. SRI DEVI

26.07.2019.
Msr

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Msr