

HON'BLE JUSTICE G. SRI DEVI

CRIMINAL PETITION No.4103 of 2019

ORDER:

This Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973 is filed by the petitioner, who is A.1, for grant of anticipatory bail in the event of her arrest in Crime No.816 of 2018 of Saroornagar Police Station, Rachakonda Commissionerate, Ranga Reddy District, registered for the offence punishable under Section 420 of IPC.

The case of the prosecution is that due to the acquaintance between the defacto complainant and the accused persons, the petitioner/A.1 borrowed a sum of Rs.1,15,000/- with a promise to return the same within one week as they require the said amount for running of gold business and thereafter they failed to return the said amount. Basing on the complaint lodged by the defacto complainant, the police registered Crime No.816 of 2018 for the aforesaid offence against the petitioner/A.1 and other accused.

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 contends that the petitioner is innocent of the alleged offence and that she has not committed any offence and has been falsely implicated in the above crime due to the political rivalry among the local

women groups. It is also contended that there is no inducement to deliver the property as alleged in the complaint and there are no ingredients to constitute the offence of cheating. It is further contended that the dispute is of civil nature and instead of filing a civil suit, the petitioner was falsely implicated in the above crime. It is also contended that the petitioner had not borrowed any money from the complainant and there is no proof or document in that regard. It is contended that at the instigation of the complainant, the police have been harassing the petitioner and her family members. It is also contended that the petitioner is ready to abide by any conditions imposed by this Court, including assisting the investigating agency for her release on anticipatory bail in the event of her arrest in the above crime.

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

A perusal of the record reveals that there are specific allegations made against the petitioner about her involvement in the alleged offence. Thus, in view of the specific allegations levelled against the petitioner, I am not inclined to grant anticipatory bail to the petitioner/A.1. However, if the petitioner/A.1 surrenders before the Court below concerned and moves an application for regular bail, after giving prior notice to the Public Prosecutor concerned, the said application shall be considered in accordance with law.

With the above observations, this Criminal Petition is dismissed.

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

JUSTICE G. SRI DEVI

24.07.2019.
Msr



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Msr