

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

TUESDAY, THE SEVENTEENTH DAY OF SEPTEMBER TWO THOUSAND AND
NINETEEN

:PRESENT:

THE HONOURABLE JUSTICE G SRI DEVI

CRIMINAL PETITION NO: 5631 OF 2019

Between:

Fatima Hussain, W/o. Mohd. Hussain



Petitioner/Accused

AND

The State of Telangana, Rep by its Public Prosecutor, High Court for the State of Telangana at Hyderabad.

Respondent/Complainant

Petition under Section 438 of Cr.P.C, praying that in the circumstances stated in the affidavit filed in support of the Criminal Petition, the High Court may be pleased to direct the Station House Officer, Chandrayangutta Police Station, Hyderabad to release the Petitioner on bail in the event of her arrest in connection with Crime No. 270/2019 of Chandrayangutta Police Station, Hyderabad.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of C SHARAN REDDY Advocate for the Petitioner, THE PUBLIC PROSECUTOR for the Respondent, and the Court made the following.

ORDER

THE HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION No.5631 of 2019

ORDER:

This Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973, is filed by petitioner/accused seeking to grant anticipatory bail in Crime No.270 of 2019 on the file of Chandrayangutta Police Station, Hyderabad District, registered for the offences under Sections 406 and 420 IPC.

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

3. It is alleged in the complaint that the de-facto complainant and other 19 members have paid an amount of Rs.20,000/- each to the petitioner on the assurance given by her that she will provide employment VISA for UAE and they all booked air tickets for departure on 22.07.2019, but suddenly, she played fraud and cancelled their tickets and when they asked, she stated that she was not having funds, thereby she cheated by deceiving them with a *mala fide* intention.

4. Learned counsel for the petitioner submits that the de-facto complainant has not produced any receipt that they paid Rs.20,000/- each to the petitioner and that there is no allegation that she refused to return the money or she failed to provide VISA. He further submits that there is no ground to register the complaint as no cognizable offence is made out against the petitioner. He further

submits that the petitioner is willing to furnish sufficient sureties imposed by the Court.

5. Learned Additional Public Prosecutor vehemently opposed to grant anticipatory bail to the petitioner.

6. In view of the nature of allegations leveled against the petitioner and the facts and circumstances, without adverting to the merits of the matter, it is a fit case to grant anticipatory bail to the petitioner/accused with certain conditions.

7. Accordingly, the Criminal Petition is allowed and the petitioner/accused is directed to surrender before the Station House Officer, Chandrayanagutta Police Station, Hyderabad District, within a period of 15 days from the date of this order. On such surrender, the said Station House Officer shall release the petitioner/accused on bail on her executing a personal bond for a sum of Rs.15,000/- (Rupees fifteen thousand only) with two sureties for a like sum each to his satisfaction. On such release, the petitioner/accused shall abide by the conditions stipulated in Section 438(2) Cr.P.C and co-operate with the investigating officer in investigating the case.

8. Miscellaneous applications, if any pending in this criminal petition, shall stand closed.

SD/- B.SATYA VATHI
ASSISTANT REGISTRAR

//TRUE COPY//

For ASSISTANT REGISTRAR

To,

1. The III Additional Metropolitan Sessions Judge Hyderabad
2. The Chief Metropolitan Magistrate, Nampally, Hyderabad
3. The Station House Officer, Chanrayangutta Police Station, Hyderabad
4. One CC to SRI. C SHARAN REDDY Advocate [OPUC]
5. Two CC's to Public Prosecutor, High Court for the State of Telangana at Hyderabad (OUT)
6. One spare copy

Avs

HIGH COURT

GSDJ

DATED:17/09/2019

ORDER

CRLP.No.5631 of 2019

BAIL

