

HON'BLE JUSTICE G. SRI DEVI

CRIMINAL PETITION No.5804 of 2019

ORDER :

This Criminal Petition under Section 438 of Cr.P.C. is filed by the petitioners/A1 and A2, seeking anticipatory bail in Crime No.68 of 2018 of Luxettipet Police Station, registered for the offences punishable under Sections 417 and 420 IPC.

2. Heard learned counsel for the petitioners as well as the learned Additional Public Prosecutor appearing for respondent-State.

3. Learned counsel for the petitioners submits that A1 and the complainant are roommates in a Paying Guest in Bangalore for some time while both were searching for Job. Sometimes, the de facto complainant used to get money from his relatives and friends into the account of A1 for the reason that he has no bank account of particular bank for transferring the amount. Out of friendship, A1 allowed the complainant to get such money periodically and used to pay back the same to the complainant after withdrawing from the bank with the help of debit card. He further submits that A2, who is sister of A1, is not even known to the complainant, whose accounts was used one or two times for depositing some amounts, without her knowledge and used to draw by A1, who is holding the debit card permitting to his sister bank account and paid to the

complainant. He further submits that after registering the FIR, police visited Tadepalligudem along with father of the complainant and by threat, they obtained the signatures of A1 on some white papers and the father of the complainant sent a legal notice through his counsel, dated 24.07.2019 alleging that A1 and father of complainant known to each other and taking advantage of acquaintance, A1 has approached him and obtained Rs.5 lakhs cash on 20.01.2019 with a promise to repay the same within 3 months, but he failed to repay the amount. However, he issued a cheque bearing No.587413, dated 10.07,2019 for Rs.5 lakhs. A1 is a permanent resident and working as a Teacher in the Bhasyam School, Secunderabad and he has no chance to escape from the jurisdiction of the Investigating Officer and he is ready to co-operate with the investigation and ready to abide by the conditions imposed by this Court.

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

5. As seen from the contents, it is clear that there are specific allegations that A1 on the pretext of securing jobs, has received several amounts in his bank account and also to the bank account of A2 from the de facto complainant and also sent false e mail of Google company,

ID card and offer letter. On enquiry, those documents were found to be false and fake and also found that one of those accounts belongs to A2, who is the sister of A1. When the complainant demanded for repayment of amount, the accused scolded him in filthy language and not made any payments.

6. Taking into consideration the nature of allegations made against the petitioners and gravity of the offences and also keeping in view the facts and circumstances of the case, I am not inclined to grant anticipatory bail to the petitioners.

7. Accordingly, the Criminal Petition is dismissed. Miscellaneous petitions, if any pending, shall stand closed.

DATED: 24.09.2019.

Hsd

JUSTICE G. SRI DEVI

