

HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION No.6007 of 2019

ORDER:

The petitioners-A1 and A2 filed the present petition under Sections 437 and 439 of the Code of Criminal Procedure, seeking to grant bail to them in Crime No.69 of 2019 on the file of Khammam-II Town Police Station, Khammam District, registered for the offence under Section 420 IPC and under Section 5 of APPDPE Act.

2. It is alleged in the complaint that prior to 22.02.2019, the petitioners/A1 and A2 induced the de-facto complainant with fraudulent words that they would pay higher rate of interest on money deposits in the chits run by them and accordingly, the de-facto complainant and his relatives deposited a sum of Rs.1 Crore and later, the accused fled away from the city, thereby cheated them.

3. Learned counsel for the petitioners/A1 and A2 submits that the allegations made in the complaint are vague and without any basis and that the de-facto complainant has no locus standi to file the complaint since no document was produced in support of his claim and nothing was seized from the petitioners to attract the provisions of Depositors Act. He further submits that the 1st petitioner is house wife and she never involved in any business transaction. He further submits that the entire investigation has been completed except filing of charge sheet. He further submits that the earlier bail petition filed by petitioners was dismissed by the lower

Court vide order dated 11.09.2019 in CrI.M.P.No.956 of 2019 in Cr.No.69 of 2019 on the ground that there are no changed circumstances. He also submits that the petitioners are in judicial custody since 16.08.2019 and they are ready to cooperate with the investigation and are ready to comply with the condition imposed by this Court.

4. Learned Additional Public Prosecutor vehemently opposed the bail application and submits that the petitioners were running unregistered finance business and they collected huge amounts from various persons without having any valid licence stating that they would pay higher interest on such deposits and that as there are serious allegations against the petitioners, they are not entitled for bail.

5. In view of the nature of allegations against the petitioners and the involvement of petitioners in collecting huge amounts from different persons, I am not inclined to release the petitioners on bail and their prayer for bail is rejected.

6. Hence, the Criminal Petition is dismissed.

7. As a sequel, miscellaneous applications, if any pending in this criminal petition, shall stand dismissed.

G. SRI DEVI, J

30th September, 2019
sj