

HON'BLE JUSTICE G. SRI DEVI

CRIMINAL PETITION No.6100 of 2019

ORDER :

This Criminal Petition under Section 438 of Cr.P.C. is filed by the petitioner/A1, seeking anticipatory bail in Crime No.164 of 2019 on the file of the SHO, Abids Police Station, Hyderabad, registered for the offences punishable under Sections 420 and 406 IPC.

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

3. Learned counsel for the petitioner submits that the petitioner denies all the allegations leveled against him as false and baseless. He further submits that in the entire complaint, no specific overt-act is attributed against the petitioner and only vague and omnibus allegations are leveled against him and as such, they do not constitute any offence, much less the offences under Sections 420 and 406 IPC and this case is foisted only to harass the petitioner. He further submits that A2 was already arrested and remanded to judicial custody and subsequently, he was enlarged on bail. He further submits that as per remand report of A2 itself, the entire investigation is completed and all the material documents are collected and police has examined all the witnesses. He

further submits that the petitioner has been roped in this case just because he is having good reputation in the market in the business circle. Hence, he prays to grant anticipatory bail to the petitioner.

4. On the other hand, the learned Additional Public Prosecutor representing the State vehemently opposed the bail application.

5. As seen from the contents of the complaint and the remand report, A1 posed himself as the owner of the subject property/shop for which, A2 was the tenant and in collusion with A2, A1 deceived the de facto complainant and induced him by making him believe that the subject property/shop is to be let out. Acting upon the fraudulent and dishonest intention of A1 and A2, the de facto complainant entered into a rental agreement for a rent of Rs.40,000/- per month and parted with Rs.3 lakhs and came into possession of the shop. The investigation further reveals that one Santosh Agarwal and Anitha Agarwal are the actual and real owners of the said shop and not the present petitioner-A1. Thus, there are specific allegations against the petitioner.

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

7. Accordingly, the Criminal Petition is dismissed. However, the petitioner-A1 shall surrender before the concerned Court within 15 days and move bail application and the same shall be considered in accordance with law. Miscellaneous petitions, if any pending, shall stand closed.

JUSTICE G. SRI DEVI

DATED: 01.10.2019.

Hsd



