

HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION Nos. 6258 and 6261 of 2019

COMMON ORDER :

1. These two anticipatory bail petitions have come up for hearing with a prayer to enlarge the petitioners/ A.10 and A.12 on bail in the event of their arrest in connection with Crime No.132 of 2018 of Mavala Police Station, Adilavadi District, which was registered against the petitioners and others for the offences punishable under Sections 403, 409 and 420 IPC.
2. Since both the petitions have arisen out of same crime number, they are being disposed of by this common order.
3. Heard learned counsel for the petitioners and learned Public Prosecutor appearing for the respondent-State.
4. It has been submitted on behalf of the petitioners that with an intention to harass the petitioners, the complainant hatched a novel plan and made a false complaint; the petitioners are in no way concerned with the alleged offences. In fact in the complaint, contradictory and conflicting statements were made by the complainant as such it is clear that making of such complaint itself amounts to abuse of process of law. No *prima facie* case whatsoever has been made out against the petitioners. Both the petitioners are native of Jagtial District and residing in Pathagudur Village and they are having fixed abode, hence, there is no chance of their absconding or fleeing away from the justice. The petitioners are ready and willing to cooperate with the investigation in all respects.

The petitioners are not having any criminal background and they are respectable persons of their locality.

5. As seen from the contents of the report and the chart submitted along with the remand case diary, the petitioner in CrI.P.No.6258 of 2019 has been paid a sum of Rs.6,48,000/- and the petitioner in CrI.P.No.6261 of 2019 has been paid a sum of Rs.6,12,000/- for construction of household bio-gas plants of the selected beneficiaries in Adilabad, but the petitioners after receiving the entire amount have not commenced the installation of biogas plant to the satisfaction of the authority nor refund the said amount, which itself shows the intention of the petitioners. Thus, looking into the nature of allegations leveled against the petitioners and having regard to the facts and circumstances of the case, I am not inclined to grant anticipatory bail and accordingly, their prayer for grant of anticipatory bail is rejected. However, if the petitioners surrender before the concerned Court and move an application for bail before the appropriate Court and on such application being filed, the same may be considered in accordance with law.

6. Accordingly, both the Criminal Petitions are disposed of. Miscellaneous petitions, if any, pending shall stand closed.

JUSTICE G. SRI DEVI

14.10.2019
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