

HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION NO.6601 OF 2019

ORDER:

This Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973 (Cr.P.C.), is filed by the petitioner/A-2, for grant of anticipatory bail in Crime No.128 of 2019 of P.S. Kulsumpura, Hyderabad District, registered for the offences punishable under Sections 406, 420, 506 and 509 of the Indian Penal Code and Section 5 of the T.S. Protection of Depositors of Financial Establishment Act, 1999.

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

In the FIR, it is *inter alia* stated that the *de facto* complainant gave a complaint stating that she paid chit amount at Rs.7,000/- per month for 36 months to one Sandeep, who is the husband of the petitioner/A-2, who used to collect the amount by visiting their house and in the month of February, 2019, he gave cheque No.10019659 for an amount of Rs.6,23,000/- but the same was dishonoured and when she called him on phone, the said Sandeep dodged the matter and threatened her and her family members. Herself and her son and some others visited the house of the said Sandeep at Mosapet, where Sandeep's mother and sister abused them in filthy language and threatened with dire consequences. Hence, she prayed to take necessary action against the petitioner/A-2.

Learned counsel for the petitioner/A-2 would submit that the petitioner/A-2 is innocent and she has not committed any offence as alleged and the *de facto* complainant, without any reason, made

obnoxious allegations against her with a devious intention. Hence, he prayed to grant anticipatory bail to the petitioner/A-2.

Learned Additional Public Prosecutor representing the respondent-State opposed to grant anticipatory bail to the petitioner/accused.

As seen from the contents, there are specific allegations against the petitioner/A-2 that the petitioner/A-2 along with her husband collected huge amounts in the name of chit fund business and used to give empty cheques and non-judicial stamp papers but failed to make payments, as all the accused faced financial crisis and also started hiding themselves. The petitioner/A-2 has played active role in collecting the chit amounts along with her father-in-law and other housemates.

Having regard to the facts and circumstances of the case, nature and gravity of the offence, this Court is not inclined to grant anticipatory bail to the petitioner/A-2.

The Criminal Petition is, accordingly, dismissed. However, if the petitioner surrenders before the competent Court within a period of fifteen days from today and applies for regular bail, the same shall be considered by the said Court on the same day, in accordance with law.

Miscellaneous applications, if any, pending shall stand dismissed.

(G. SRI DEVI, J)

28th October 2019
RRB