

THE HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION No.6621 of 2019

ORDER:

This Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973, is filed by petitioners/A1 and A2, seeking to grant anticipatory bail in Cr.No.154 of 2019 on the file of Central Crime Station, Hyderabad District, registered for the offence under Section 420 IPC.

2. Heard learned counsel for the petitioners/A1 and A2, learned Additional Public Prosecutor representing the respondent-State and perused the record.

3. It is alleged in the complaint that both the accused had offered the de-facto complainant in their partnership business for construction of flats, and believing their words, he gave an amount of Rs.85,00,000/- to the accused on different dates from 01.03.2017 onwards and the accused promised to give profit amount of Rs.1 crore or 3 BHK flat, but they did not return the money to him and on the other hand, they threatened him with dire consequences. On repeated demands, the accused gave five cheques on different dates and when the de-facto complainant presented those cheques, they were dishonoured, thereby cheated him.

4. Learned counsel for the petitioners/A1 and A2 submits that the de-facto complaint lodged the complainant with all false allegations as there was no single overt act attributed against the petitioners with regard to alleged cheating. He further submits that the contents of the legal notices indicate that the de-facto complainant had quoted different amounts at different times and that the alleged

cheques given as security were altered with material alterations regarding the figures and amounts. He further submits that the petitioners have nothing to do with the alleged offence and that the matter pertains to civil in nature. He further submits that the petitioners shall abide by the conditions imposed by this Court and they are ready to cooperate with the investigating authority.

5. Learned Additional Public Prosecutor vehemently opposed the bail application.

6. As seen from the contents of the FIR, there are specific allegations against the petitioners that they have received certain amounts from the de-facto complainant with regard to partnership business with a promise to give huge benefits and that when the de-facto complainant demanded for return of the amounts, the accused threatened him with dire consequences and that the alleged cheques issued by the accused got bounced when presented by him. Thus, in view of the specific allegations leveled against the petitioners, this Court is not inclined to grant anticipatory bail to them and their prayer for anticipatory bail is refused.

7. Hence, the Criminal Petition is dismissed.

8. Miscellaneous applications, if any pending in this criminal petition, shall stand dismissed.

28th October, 2019

G. SRI DEVI, J

sj