

THE HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION No.6814 of 2019

ORDER:

This Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973, is filed by petitioner/accused, seeking to grant anticipatory bail in Cr.No.891 of 2019 on the file of L.B.Nagar, L & O Police Station, Rachakonda District, registered for the offence under Section 420 IPC.

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

3. It is alleged in the complaint that in the year 2018, when the de-facto complainant intended to buy an agricultural land in Nalgonda, District, the petitioner/accused introduced himself that he is doing real estate business and thereafter, the accused took him to Miryalaguda and showed the agricultural land of someone as it belongs to him, and on believing his words, the de-facto complainant agreed to purchase the land to an extent of Ac.1.20 gts for Rs.2,65,50,000/- and later, in the month of October, 2018, he gave an amount of Rs.30,00,000/- to the accused in two installments. On 27.12.2018 also, the de-facto complainant had transferred an amount of Rs.5,00,000/- to the account of the accused, and thereafter, he came to know that the petitioner is not the owner of said land, thereby cheated him, and that when the de-facto

complainant asked for return of the amount, the accused threatened him with dire consequences.

4. Learned counsel for the petitioner/accused submits that the petitioner has not committed any offence as alleged by the de-facto complainant and it was created to harass him and he never made such type of cheating. He further submits that the petitioner and the de-facto complainant are family friends and the petitioner is one of the Directors of Swagath Hotel of the de-facto complainant and due to such acquaintance, the petitioner made a proposal to sell his property to the de-facto complainant, but in order to harass him, the present complaint was lodged. He further submits that the alleged money transaction was for the hotel business and not for the purpose of land. He further submits that the petitioner is law abiding citizen and hails from the respectable family and he shall abide by the terms and conditions imposed by this Court.

5. As seen from the contents of the FIR and even as admitted by the petitioner that there were money transactions between him and the de-facto complainant, the petitioner had received a sum of Rs.35,00,000/- from the de-facto complainant and thereafter, when the de-facto complainant requested the petitioner to complete the sale transaction, he threatened him with dire consequences, thereby cheated him. Thus, in view of the nature of allegations leveled against the petitioner/accused, I am not inclined to grant anticipatory bail to him and his prayer for anticipatory bail is refused.

6. Accordingly, the Criminal Petition is dismissed.

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

5th November, 2019

G. SRI DEVI, J

sj

