

THE HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION No.74 of 2020

ORDER:

This Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973, is filed by the petitioner/accused No.5 seeking to grant anticipatory bail in the event of his arrest in Crime No.689 of 2019 on the file of CCS Police Station, Hyderabad, registered for the offences punishable under Sections 465, 468, 471, 420 and 120-B IPC and Section 66 of the I.T.Act.

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

3. Learned counsel for the petitioner submitted that accused Nos.1 to 4 in the aforesaid crime were arrested and are under custody; that during their custody, the respondent has verified their call history and on the basis of the calls of the said persons with the petitioner, the petitioner has been implicated in the aforesaid crime falsely; that subsequently accused Nos.1 to 4 were released on bail and their laptops, phones and other materials were seized by the respondent; and that though no material is available with the respondent against the petitioner, he is implicated in the aforesaid case. Learned counsel further submitted that the petitioner is a law abiding citizen and is ready to abide by any conditions that may be imposed by this Court in the event of his enlargement on anticipatory bail

4. Learned Additional Public Prosecutor vehemently opposed to grant anticipatory bail to the petitioner.

5. As seen from the record, one Syed Sohailuddin @ Sohail has given his confessional statement that he along with one Pooja and Aslam get log in into the Aasra site in system, internet café and make the entries and for making the entry, they get Rs.500/- to Rs.600/- which is shared among them; that he will collect the amount from the people at Tahsildar's office and after taking his share, the remaining amount is given to the said two persons; that about five months back, he also gave AASARA pensioners password to Mohammed Mosin, Mohammed Aleem, Mohammed Arif and Tahir, who were having online services and also used to go to M.R.O. Office, Bandlaguda, to check the applications of ASARA pensions.

6. Thus, looking into the nature of allegations levelled against the petitioner, the gravity of the offence and the facts and circumstances of the case, I am not inclined to grant anticipatory bail to the petitioner.

7. The Criminal Petition is accordingly dismissed. However, the petitioner is directed to surrender before the Court concerned within three weeks from the date of this order and move an application for bail, upon which, the Court below shall consider the same and pass appropriate orders in accordance with law.

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

10th January, 2020
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JUSTICE G.SRI DEVI