

HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION NO.317 OF 2020

ORDER:

This Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973 (Cr.P.C.), is filed by the petitioner/accused, for grant of anticipatory bail in Crime No.141 of 2019 of P.S. Bijinapalli (M), Nagarkurnool District, registered for the offences punishable under Sections 420 and 406 of the Indian Penal Code and Section 5 of the Telangana Protection of Depositors and Financial Establishment Act, 1999.

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

In the FIR, it is *inter alia* stated that on 11.09.2019 at 18.30 hours, the *de facto* complainant lodged a complaint stating that the petitioner was running chits since many years and asked him to deposit amount in the said chits. Accordingly, he paid an amount of Rs.13,000/- per month from 22.02.2018 to 22.12.2018, totalling to Rs.1,40,000/- and after lifting the chit, the petitioner did not pay amount to him and as such the complainant did not pay the remaining chit amount since the petitioner cheated several other members also up to Rs.20,00,000/-.

Learned counsel for the petitioner/accused would submit that the petitioner/accused hails from a respectful family and he is 67 years old and he has no reason to commit any offence as alleged in the complaint. It is further submitted that the petitioner is not into any sort of chit business as alleged in the complaint. It is further submitted that the complainant is trying to trouble the petitioner, who is a senior citizen and trying to blackmail him by filing frivolous

complaints without there being any proof whatsoever. It is further submitted that the petitioner has not committed any offence as alleged in the complaint and he is ready to abide by any condition of this Court and also ready to co-operate with the investigating officer for any further enquiry in relation to the alleged offence. It is further submitted that the petitioner is the sole bread-winner of his family and his family would be put to irreparable loss if he is arrested. Hence, he prayed to grant anticipatory bail to the petitioner/accused.

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

As seen from the contents of the F.I.R., there are specific allegations against the petitioner/accused that he conducted chits and collected amounts from the *de facto* complainant and several other persons and cheated them.

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/accused.

The Criminal Petition is, accordingly, dismissed.

Miscellaneous applications, if any, pending shall stand dismissed.

(G. SRI DEVI, J)

20th January 2020
RRB