

THE HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION No.646 of 2020

ORDER:

This Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973, is filed by petitioner/A1, seeking to grant anticipatory bail to him in Cr.No.240 of 2019 on the file of Central Crime Station, Hyderabad, registered for the offences under Sections 408 and 420 IPC.

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

3. It is alleged in the complaint that A1 and A2 used to work in the gold shop of the de-facto complainant since 11 months from the date of the incident and that they used to take the gold bag, kept with them and after clearing sales, they used to take their commission and return the remaining gold to the de-facto complainant. As usual, on 31.08.2019 at about 11.30 AM, the de-facto complainant gave gold bag weighing 2,800 grams of pure gold in Biscuit and 50 Kgs of silver bars to A1 and A2 for business purpose, but they fled away along with the gold and their families, thereby cheated him.

4. Learned counsel for the petitioner/A1 submits that the petitioner/A1 and his brother-A2 are not workers of the de-facto complainant as alleged in the complaint, but they are doing their own business of gold refinery in the portion belonging to the wife of the de-facto complainant as tenants. He further submits that the petitioner/A1 has got Registration Certificate for doing the said

business and that as the petitioner/A1 resisted to vacate the tenanted property, this false case has been foisted against them and they also filed a civil suit for perpetual injunction against the de-facto complainant and his wife. He further submits that the petitioner/A1 hails from respectable family and there are no criminal antecedents against him and he is ready to cooperate with the investigating agency and he shall abide by any condition imposed by this Court.

5. Learned Additional Public Prosecutor opposed the relief sought in the petition.

6. As seen from the contents of the FIR, there are specific allegations against the petitioner/A1 that on 31.08.2019, the de-facto complainant gave 2,800 grams of pure gold and 50 kgs of silver to the petitioner/A1 and his brother-A2 for business purpose. Thereafter, they fled away along with the gold, their family members and one servant. Thus, in view of the nature of allegations leveled against the petitioner/A1, I am not inclined to grant anticipatory bail to him and his prayer for anticipatory bail is refused.

7. With the above directions, the Criminal Petition is dismissed.

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

7th February, 2020

G. SRI DEVI, J

sj