

HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION NO.854 OF 2020

ORDER:

This Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973 (Cr.P.C.), is filed by the petitioner/A-1, for grant of anticipatory bail in Crime No.436 of 2019 of P.S. Saifabad, Hyderabad City, registered for the offences punishable under Sections 420, 467, 468, 471, 120-B and 109 of the Indian Penal Code and 24 EA.

Heard the learned counsel for the petitioner/A-1, the learned Additional Public Prosecutor representing the respondent-State and perused the record.

In the FIR, it is *inter alia* stated that one Nilofer Khan promised the complainant to send to Dubai at a package of Rs.1,70,000/- and that the complainant had paid Rs.60,000/- through ICICI bank account and given her cash of Rs.70,000/- at Nampally Railway Station and later it was alleged that the full amount was paid to Nilofer Khan and his staff member. It was further alleged that later the complainant found the visa office closed and later he met Nilofer Khan at Global Career and she informed the complainant that his visa process has cancelled and she further informed him that his money will be refunded but she did not refund the money.

Learned counsel for the petitioner/A-1 would submit that the name of the petitioner/A-1 is Mohammed Abdul Khader and he is no way concerned with the alleged offence and as his name was mentioned in the complaint, police are coming to his house to arrest him assuming him to be the staff member of the said Nilofer

Khan. It is further submitted that the petitioner is a permanent resident of Asif Nagar having fixed abode and landed property and there is no question of absconding. The petitioner is willing to furnish suitable security and abide by any condition which this Court deems fit to impose. Hence, he prayed to grant anticipatory bail to the petitioner/A-1.

Learned Additional Public Prosecutor representing the respondent-State opposed to grant anticipatory bail to the petitioner/A-1.

As seen from the contents of the F.I.R., there are specific allegations against the petitioner/A-1 that he is involved in collection of money from the complainant along with other accused.

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/A-1.

The Criminal Petition is, accordingly, dismissed. However, if the petitioner/A-1 surrenders before the competent Court within a period of fifteen days from today and applies for regular bail, the same shall be considered by the said Court, in accordance with law.

Miscellaneous applications, if any, pending shall stand dismissed.

(G. SRI DEVI, J)

25th February 2020
RRB