

HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION NO.1171 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.11 of 2020 of P.S. Mancherial Town, registered for the offences punishable under Section 420 of the Indian Penal Code and Section 3 read with 4 of the Prize Chits and Money circulation Schemes Banning Act, 1978.

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 the *de facto* complainant lodged a complaint on 06.01.2020 stating that the petitioner/A-1 used to do chit business and the *de facto* complainant joined in the chit and paid instalments regularly and became the successful bidder. The petitioner paid an amount of Rs.1,69,000/- and fell due an amount of Rs.15,00,000/- to the *de facto* complainant. Even though the *de facto* complainant approached the petitioner/A-1 number of times, he did not pay the balance amount due.

Learned counsel for the petitioner/A-1 would submit that the allegations mentioned in the complaint are purely civil in nature and if at all the accused is due of any amount to the *de facto* complainant, he should have invoked civil jurisdiction. It is further submitted that the *de facto* complainant implicated the petitioner with false and baseless allegations. It is further

submitted that the police have completed entire investigation by examining all the material witnesses except filing of the charge sheet. It is further submitted that the petitioner is having well reputation in the society and therefore, the question of commission of the alleged offence by him does not arise. Only to grab his amount, the petitioner/A-1 was implicated in this case. 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 collected amounts from the *de facto* complainant in the name of chits and did not repay him when he became successful bidder.

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.

Miscellaneous applications, if any, pending shall stand dismissed.

(G. SRI DEVI, J)

25th February 2020
RRB