

HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

**MONDAY, THE SECOND DAY OF NOVEMBER
TWO THOUSAND AND TWENTY**

PRESENT

THE HON'BLE SRI JUSTICE K. LAKSHMAN

CRIMINAL PETITION NO: 4113 OF 2020

Between:

Angothu Hanumanthu, S/o Keerya , Aged 28 years, Occ . Business, R/o Sager Complex, Halmaguda, Road No 23, BN Reddy Colony, Rangareddy District.

...Petitioner/Accused No.2

AND

State of Telangana, through Station House Officer, CCS, EOW Cyberabad
Commissionerate Rep. by Public Prosecutor High Court of Telangana, Hyderabad.

...Respondent

Petition under Section 438 of Cr.P.C praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to direct the respondent to enlarge the petitioner on bail in the event of his arrest in Crime No. 301/2020 dated 17.06.2020 of SHO, Ramchandrapuram P.S., CCS, EOW Cyberabad pending enquiry and trial.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of M/s Pillix Law Firm, Advocate for the Petitioner and the Public Prosecutor (TG) on behalf of the Respondent.

The Court made the following: ORDER

THE HON'BLE SRI JUSTICE K.LAKSHMAN

CRIMINAL PETITION No.4113 of 2020

ORDER:

This criminal petition is filed under Section 482 Cr.P.C. to quash the proceedings in Crime No.301 of 2020 pending on the file of Station House Officer, CCS, EOW, Cyberabad. The petitioner is A2 in the above crime. The offences alleged against the petitioner/A2 are under Sections 420,406 IPC and Sections 4, 5, 6 read with 3 of Prize Chits Money Circulation (Banning) Act.

2. Heard Sri P.Kasi Nageshwara Rao, learned counsel representing Pillix Law Firm, learned counsel for the petitioner/A2 and learned Public Prosecutor. Perused the record.

3. According to learned counsel for the petitioner, the petitioner is also a victim and he has introduced only four persons viz. Swamy, Prashanth, Narasimha and Premnath and he has already returned the amounts received by him, to the above said four persons. Therefore, recording the said statement, this Court directed the learned Public Prosecutor to get specific instructions with regard to the same and also the role played by the petitioner/A2 in the commission of offence. Accordingly, learned Public Prosecutor has filed the statements recorded by the police in the above said crime. All the witnesses specifically stated before the police that the petitioner has actively participated in the commission of offence along with Yerlapalli Yadaiah, Bellankonda Srinu, Kadari Jangaiah and they have conducted on line business in the name of Digital Ways and Trade Ways. The accused including the petitioner have joined the victims, opened accounts,

issued Id, passwords and insisted them to deposit money in the said accounts. Thus, the petitioner herein along with other accused have collected money from the *de facto* complainant and others, making them to believe that they will get more profit and committed breach of trust and cheating. The witnesses specifically stated about the role played by the petitioner/A2 including the amount deposited by them.

4. On perusal of the statements recorded by the police would reveal that the petitioner herein has actively participated in the commission of offence.

5. Learned counsel for the petitioner would submit that the police have also issued notice under Section 41-A Cr.P.C. and the petitioner has submitted his explanation.

6. The above said facts more particularly the statements of the victims, would reveal that the petitioner/A2 has actively participated in the commission of offence along with the above said persons. Thus, there are specific overt acts against the petitioner/A2. This Court is not inclined to grant anticipatory bail to him.

7. Accordingly, the criminal petition is dismissed.

Miscellaneous petitions pending, if any, shall stand disposed of.

//TRUE COPY//

SD/- K. AMMAJI
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Special Judicial Magistrate of First Class, Prohibition and Excise Offences Court. at Sangareddy
2. The Station House Officer, Ramachandrapuram Police Station.
3. Two CCs to the Public Prosecutor, High Court for the State of Telangana at Hyderabad. [OUT]
4. One CC to M/s. Pillix Law Firm, Advocate [OPUC]
5. Two CD Copies

CHR

HIGH COURT

DATED:02/11/2020

ORDER

CRL.P.No.4113 of 2020



DISMISSING THE CRIMINAL PETITION

SSV
7 Copies
Dt 16/11/2020