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Crl.O.P.No.21492 of 2022

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A.D.JAGADISH CHANDIRA, J.

The petitioner/A2 who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 420, 468, and 471 IPC and Section 66 D of the Information Technology Act, 2000 in Crime No.25 of 2021, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner along with other accused under the guise of obtaining loan for the de-facto complainant, had received a commission of Rs.17,48,000/- and had cheated the defacto complainant. Hence the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is arrayed as A2 and that the only allegation against the petitioner is that he had introduced the de-facto complainant to A1. He would further submit that the entire amount has been paid only to the account of the first accused and the petitioner has not received any amount



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from the de-facto complainant. He would further submit that the petitioner is innocent person and he has been falsely implicated in this case. Hence, he prays for grant of anticipatory bail to the petitioner.

4.Per contra, the learned Government Advocate (Crl. Side) would submit that the petitioner is an accomplice to the first accused and the petitioner/A2 is the person who was introduced the de-facto complainant to A1. Whereas, they have under the guise of securing loans for the de-facto complainant and they have collected to the tune of Rs.17,48,000/- from the de-facto complainant and had cheated him. He would further submit that earlier this Court granted anticipatory bail to the first accused by order dated 16.03.2022 in Crl.O.P.No.18349 of 2021, on the undertaking given by him that he will deposit the entire amount and thereafter, the said amount was not deposited by him. Thereafter, this Court cancelled the anticipatory bail already granted to the first accused by order dated 16.03.2022, in Crl.M.P.No.1574 of 2022.



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5.The learned counsel for the Intervenor would submit that the petitioner/A2 and the first accused have colluded with each other and they have induced the de-facto complainant to pay a sum of Rs.Rs.17,48,000/- for obtaining loan. He would further submit that though the case has been registered as early as on 23.08.2022 in CMP.No.6239 of 2022 and due to the attitude of the petitioner/accused, the respondent/Police is not able to proceed further.

6.Taking into account the nature of offence, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

27.09.2022

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