

THE HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

CRIMINAL PETITION NO.1589 OF 2022

ORDER:-

This petition is filed under Sections 437 and 439 of Code of Criminal Procedure, 1973 (for short "Cr.P.C") seeking regular bail to the petitioner/accused in connection with Crime No.21 of 2022 of Chaitanyapuri Police Station, Rachakonda Commissionerate, wherein the petitioner is alleged to have committed the offences punishable under Sections 420 and 406 of the Indian Penal Code, 1860 (for short 'IPC'), Section 73 of Chit Fund Act, 1982 and Section 5 of the Telangana Protection of Depositors of Financial Establishments Act, 1999.

2. A report was lodged by the *de facto* complainant on 11.01.2022 stating that from the past four years he had paid chit amount of Rs.79,200/- for two chits to the petitioner and instead of Rs.1,79,200/-, petitioner had paid only Rs.1,00,000/- and did not return the balance amount. He came to know that the petitioner had cheated some other persons without giving the money in the name of chit-funds. Basing on the said report, the present crime is registered.

3. Heard Mr.Gajanand Chakravarthy, learned counsel for the petitioner, and learned Assistant Public Prosecutor for the respondent-State.

4. Learned counsel for the petitioner submits that the petitioner was arrested on 13.01.2022 and from the last 55 days he has been languishing in jail. He submits that the police have already filed a petition seeking custody of the petitioner for five days and even that period is also completed. He further submits that the petitioner is suffering with convulsions and he was admitted in Gandhi Hospital twice. The petitioner is ready to cooperate with the investigation. Hence, the petitioner's case may be considered for grant of bail.

5. On the other land, learned Assistant Public Prosecutor submits that so far twenty two witnesses are examined and petitioner has collected amounts from several innocent people. As investigation is pending, the petitioner is not entitled for bail.

6. Taking into consideration the fact that the petitioner is languishing in jail from the last 55 days and police also sought for custody of the

petitioner for five days and that period is also over and further, taking into consideration the health condition of the petitioner, this Court deems it appropriate to grant bail to the petitioner/accused on certain conditions.

7. Accordingly, this Criminal Petition is allowed and the petitioner/accused shall be enlarged on bail on his executing a personal bond for a sum of Rs.20,000/- (Rupees twenty thousand only) with two sureties for a like sum each to the satisfaction of the VI Additional Metropolitan Magistrate, L.B.Nagar. On such release, the petitioner shall appear before the Station House Officer, Chaitanyapuri Police Station, once in fifteen days i.e., on every 1st and 15th of every month, between 10.00 a.m. and 12.00 Noon till the trial is completed.

Miscellaneous applications, pending if any, shall stand closed.

LALITHA KANNEGANTI, J

Date :08.03.2022

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