

THE HONOURABLE SMT. JUSTICE JUVVADI SRIDEVI

CRIMINAL PETITION No.4352 OF 2022

ORDER:

This Criminal Petition under Section 438 Cr.P.C. is filed by the petitioner – Accused No. 2 seeking bail in the event of his arrest in connection with Crime No.80 of 2022 on the file of Gopalpuram L & O Police Station, Hyderabad, registered for the offence punishable under Section 420 IPC.

2. The brief facts of the prosecution case are that the *de facto* complainant used to talk with Accused No.1 frequently through mobile and on 28.06.2021 Accused No.1 said that she is working as General Manager in the railway department and she will provide a job to him in the said department. Then, the defacto complainant agreed for job proposal and for that Accused No.1 demanded an amount of Rs.25,000/- and the same was paid on 16.07.2021 through phonepe. Later, on 06.02.2022 the *de facto* complainant met accused No.1 near Sanchalan Bhavan, Secunderabad and she took Rs.35,000/- cash from him for job purpose. Further, the defacto complainant's friend viz G.Nikhil Kumar also paid Rs.45,000/- to Accused No.1 on 12.08.2021. Till now Accused No.1 has not provided any kind of job to him and also not lifting any calls.

3. Sri.MA.Mujeeb, learned counsel for the petitioner submits that there is no mention of the name of the petitioner in the complaint. He further submits that basing on the confession of Accused No.1, the petitioner has been implicated in this case falsely. The contents of complaint do not make out any *prima facie* case against the petitioner for the offence under Section 420 IPC. Hence, the case of the petitioner may be considered for grant of pre-arrest bail.

4. On the other hand, learned Assistant Public Prosecutor opposed the anticipatory bail application. He submits that there are about seven victims in the present crime. Hence, the petitioner is not entitled for pre-arrest bail.

5. Heard learned counsel for the petitioner as well as learned Assistant Public Prosecutor and perused the material on record.

6. As per the material on record, the petitioner is the father of Accused No.1 and Accused No.1 was already arrested and remanded to judicial custody. Further, there is no mention of the name of the petitioner in the complaint. Hence, this Court deems it appropriate to grant pre-arrest bail to the petitioner.

7. Accordingly, the Criminal Petition is allowed with the following conditions:

- i) Petitioner – Accused No.1 shall surrender before the Station House Officer, Gopalpuram L & O Police Station, Hyderabad in connection with Crime No.80 of 2022 within one week from today and on such surrender and executing a personal bond for a sum of Rs.25,000/- (Rupees twenty five thousand only) with two sureties for a like sum each to the satisfaction of the said Station House Officer, he shall be enlarged on bail. It is made clear that no further extension of time will be granted.
- ii) The petitioner shall appear before the said Station House Officer on every Sunday between 10.00 a.m. and 02.00 p.m. for a period of two months or till filing of the charge sheet, whichever is earlier.
- iii) The petitioner shall not interfere with the investigation, intimidate or induce the material witnesses and shall cooperate with the investigating agency.
- iv) The petitioner shall abide by the other conditions stipulated in Section 438(2) Cr.P.C and co-operate with the Investigating Officer in investigating the case.

JUVVADI SRIDEVI, J

Date: 19.05.2022

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