

THE HON'BLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No. 7057 of 2022

ORDER:

This Criminal Petition is filed under Section 437 & 439 of the Code of Criminal Procedure,' 1973 (for short "Cr.P.C.") seeking to enlarge the petitioners/A1, A2 & A5 on bail in connection with Crime No.569 of 2022, on the file of Kusaiguda Police Station, Rachakonda, registered for the offences punishable under Sections 420, 406, 506, 120b of Indian Penal Code and under Section 5 of Telangana State Protection of Depositors of Financial Establishments Act, 1999.

2. Heard the learned counsel for the petitioners and learned Assistant Public Prosecutor for the respondent-State and perused the record.

3. The case against the petitioners is that they have induced the *defacto* complainant and others in the name of Telangana State Government Scheme related to Buffaloes and Sheep Subsidy and in the said process asked them to give money so that the buffaloes can be purchased on subsidy and thereafter can be sold in the open market, accordingly, both petitioners and the investors would be benefited. However, after taking the money

from the said persons no such transactions have taken place nor any buffaloes were purchased on subsidies.

4. Learned Counsel for the petitioners submits that according to the complaint even the *defacto* complainant is a co-conspirator to cheat by misusing the scheme.

5. As seen from the averments in the Remand Report, the petitioners have indulged in inducing the *defacto* complainant and others into parting with huge amounts, for which reason, this Court is not inclined to grant bail keeping in view their involvement in three crimes.

6. However, in the Remand Report the 3rd petitioner/A5 is shown as wife of Accused No.1 and in all the allegations except stating that the 3rd petitioner/A5 had accompanied Accused No.1, there are no other allegations against this petitioner, for which reason the 3rd petitioner/A5 can be released on bail subject to the following conditions.

- i. The 3rd petitioner/A5 is directed to be released on bail on her executing personal bond for Rs.50,000/- (Rupees Fifty Thousand only) with two sureties for a like sum each, to the satisfaction of V Additional Metropolitan Magistrate-cum-I Additional Junior Civil Judge at Uppal, Malkajgiri Medchal District.

ii. On such release, the 3rd petitioner/A5 shall appear before the concerned Station House Officer as and when required, for the purpose of investigation.

iii. The 3rd petitioner/A5 shall comply with the conditions as laid down under Section 437 (3) of Cr.P.C.

7. As far as petitioners 1 and 2/A1 & A2 are concerned, the Criminal petition is dismissed.

8. Accordingly, the Criminal Petition is partly allowed.

Miscellaneous applications, if any pending in this criminal petition, shall stand closed.

Date :08.08.2022
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K.SURENDER, J

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Dt.08.08.2022

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