

HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

CRIMINAL PETITION No.10284 of 2021

O R D E R:

This Criminal Petition under Sections 437 and 439 of Cr.P.C., is filed by petitioner– Accused No.5 in connection with Crime No.694 of 2021 of RGI Airport Shamshabad Police Station, registered for the offences punishable under Sections 420, 468, 471, 370, 370 (7), 120-B r/w 34 of the Indian Penal Code, 1860 (for short “IPC”), seeking bail.

2. The case of the prosecution is that on 08.12.2021 at about 03.30 hours, the police RGI Airport apprehended A-2 when he was moving in Airport in suspicious manner and seized a bag containing 20 Indian passports and Visas and travel documents from his possession under the cover of seizure panchanama. As per the confession of A-2, he along with petitioner and other accused were procuring innocent illiterate people who are willing to work in Gulf and other countries on work Visas and collecting their original passports and creating fake document with the help of A-1 and by collecting huge amounts from the customers they are sending innocent people to the Gulf countries in illegal ways. Basing on the same, the present crime was registered. Basing on the confession made by A-2, petitioner was arrayed as A-5, who is working as Immigration Officer.

3. Heard Sri Medagoni Bharath Kumar, learned counsel for petitioner and learned Assistant Public Prosecutor appearing on behalf of respondent-State.

4. Learned counsel for petitioner submits that petitioner is arrayed as A-5 and he is alleged to have committed the offences punishable under Sections 420, 468, 471, 370, 370 (7), 120-B r/w 34 of IPC. He submits that in the initial complaint absolutely there are no allegations against the petitioner, who is working as an Immigration Officer and he is unconnected with the alleged offences. He submits that petitioner was arrested on 08.12.2021, but his arrest was shown as 10.12.2021 and ever since he is languishing in jail i.e. from more than 30 days. He submits that petitioner is having small kids and he has to take care of them and even police did not seek for custody of petitioner. He submits that the police could not show any reason as to why incarceration of petitioner shall be continued further. He submits that petitioner is ready to cooperate with investigation, as such his case may be considered for grant of bail.

5. *Per contra*, learned Assistant Public Prosecutor submits that A-1 and A-6 are absconding and investigation is pending and the investigation so far conducted reveals that petitioner received an amount of Rs.30 lakhs and at this stage, he is not entitled for bail.

6. Taking into consideration the fact that petitioner is languishing in jail from more than 30 days and nothing has been stated by prosecution as to what is their apprehension, if the petitioner is enlarged on bail. Hence, this Court deems it appropriate to grant bail to the petitioner.

7. In the result, criminal petition is allowed and the petitioner/ Accused No.5 shall be enlarged on bail in connection with Crime No.694 of 2021 of RGI Airport Shamshabad Police Station on his executing a personal bond for a sum of Rs.20,000/- (Rupees twenty thousand only) with two sureties each for a like sum to the satisfaction of XIV Additional Metropolitan Magistrate at Rajendranagar, Cyberabad.

17th January, 2022

PVD

LALITHA KANNEGANTI, J

THE HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

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17.01.2022

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