

HONOURABLE SRI JUSTICE M.LAXMAN

CRIMINAL PETITION NO.4716 OF 2023

ORDER :

The present application under Section 438 Cr.P.C is filed by the petitioner/accused seeking anticipatory bail in the event of his arrest in connection with Crime No.4 of 2023 of Sultan Bazar Police Station, Hyderabad District, registered for the offence punishable under Section 405, 406, 416, 418, 420, 506 IPC.

2. The case of the prosecution is that FIR was issued in court referred complaint and as per the complaint, the complainant allegedly transferred an amount of Rs.7,04,800/- for supply of MI/Redmi cell phones to the complainant, who runs mobile business, in the name and style of Raj Guru Mobiles at Gujrathi gally, Koti, Hyderabad. The said amount was transferred in the year 2018 and the mobiles were not supplied, as such, the present complaint.

3. The contention of the learned counsel for the petitioner is that the petitioner supplied the mobile phones by raising invoices which are filed for a total covering an amount of Rs.7,03,730/- with specific IME numbers and if really, the petitioner has not supplied, the complainant would not have waited for five years without demanding the said supply. The delay in filing the complaint itself shows that this claim is right.

4. Learned Additional Public Prosecutor opposed the bail.

5. As seen from the record, the alleged amounts were paid by the complainant in the year 2018. The complainant was silent for almost

five years. The petitioner produced certain invoices allegedly showing the supply of MI/Redmi mobiles worth of Rs.7,03,730/- to the complainant.

6. In the above background of the facts, this is a fit case to grant anticipatory bail to the petitioner/accused on certain terms.

7. Accordingly, the Criminal Petition is allowed on the following terms and conditions:

- (i) The petitioner - accused is directed to surrender before the Station House Officer, Sultan Bazar Police Station, Hyderabad, within a period of fifteen days from today and on such surrender, the petitioner shall be released on bail on his executing personal bond for a sum of Rs.50,000/- (Rupees Fifty Thousand only) with two sureties for a like sum each to the satisfaction of the same Station House Officer.
- (ii) that the petitioner/accused shall not tamper with the prosecution witnesses.
- (iii) that the petitioner/accused shall co-operate with the investigating agency.
- (iv) that the petitioner/accused shall not misuse the liberty granted to him.
- (v) that the petitioner/accused shall appear before the S.H.O., Sultan Bazar Jubilee Hills Police Station on every second Saturday between 8 a.m., to 8.p.m for a period of six months or till filing of charge sheet whichever is earlier.

25.05.2023
gvl/mmr

JUSTICE M. LAXMAN