

THE HON'BLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No. 7171 of 2023

ORDER:

This Criminal Petition is filed under Section 438 of Cr.P.C. by petitioner/Accused seeking anticipatory bail in the event of his arrest in connection with Crime.No.201 of 2022 on the file of PS, CCS, EOW Team-III, D.D., Hyderabad, registered for the offences punishable under Sections 420, 465, 467 and 471 r/w. 34 of Indian Penal Code (for short 'IPC').

2. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the respondent-State and perused the record.

3. The Telangana State Mineral Development Corporation Limited lodged a complaint on 26.09.2022 stating that M/s.P.Venkata Ramanaiah Engineers & Contractors Private Limited was given contract of exaction of sand in 23 blocks in Medigadda barrage of Kaleshwaram Project in Jayashankar Bhupalpally. Two bank guarantees which were dated 06.07.2020 were provided by the company for an amount of Rs.75,00,000/- and Rs.64,00,000/-respectively. It is the case of the Corporation that the performance of the petitioner company was poor, for which reason they sought invocation of bank guarantee. The

Corporation came to know that the bank guarantees were fake. The said bank guarantees were dated 29.06.2020 for Rs.75,00,000/- and 29.08.2020 for Rs.65,00,000/-.

4. Learned Senior counsel appearing for the petitioner would submit that they have given sub-contract to Sunlit company, who were executing the said contract. The said bank guarantees were provided by them.

5. On the other hand, learned Additional Public Prosecutor would submit that these are financial frauds which have to be dealt seriously and therefore, anticipatory bail cannot be granted.

6. A notice under Section 91 of Cr.P.C. was given to the petitioner on 03.12.2022. Accordingly, on 06.12.2022 i.e., after three days thereafter 16 documents were provided to the Investigating Officer which is not disputed. However, keeping in view that the evidence in the case is documentary in nature and several documents were already provided to the Investigating Officer, this Court deems it appropriate to grant anticipatory bail for a period of four weeks to enable the petitioner to explain the documents and also the allegations leveled against him, subject to the following conditions:

- 1) The petitioner/Accused is directed to surrender before the Station House Officer, PS, CCS, EOW Team-III,

D.D., Hyderabad on 14.08.2023. Upon such surrender, the said Station House Officer shall release the petitioner/Accused on bail, on his executing personal bond for a sum of Rs.2,00,000/- (Rupees Two lakhs only) with two sureties for a like sum each to his satisfaction.

- 2) On such release, the petitioner/Accused shall appear before the concerned police on 16.08.2023, 17.08.2023, 18.08.2023, 19.08.2023, 21.08.2023, 22.08.2023 and 23.08.2023 at 10.00 a.m. and thereafter, as and when required for the purpose of investigation.
- 3) The petitioner/Accused shall abide by the other conditions stipulated in Section 438(2) of Cr.P.C and shall co-operate with the Investigating Officer in investigating the case.

7. Accordingly, the Criminal Petition is allowed. Miscellaneous applications, if any pending in this criminal petition, shall stand closed.

Date : 10.08.2023
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K.SURENDER, J

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CRIMINAL PETITION No. 7171 of 2023
Dt.10.08.2023

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