

THE HON'BLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No.7995 of 2023

ORDER:

1. This Criminal Petition is filed under Section 438 of Cr.P.C. by petitioner/Accused No.2 seeking bail in the event of his arrest in connection with Crime No.647 of 2023 on the file of KPHB Colony Police Station, Cyberabad, registered for the offences punishable under Sections 406 and 420 r/w. 34 of Indian Penal Code and Section 5 of Telangana State Protection of Depositors Financial Establishment Act, 1999.

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

3. The petitioner is seeking relief of anticipatory bail. It is alleged by the *de-facto* complainant that he has advanced an amount of Rs.19,00,000/- to purchase a flat. However, the said property was not transferred in his name. On verification, he came to know that this petitioner and others have criminally conspired to cheating several customers in the name of selling flats and plots at cheaper rates. However, the said properties were neither transferred nor registered. Earlier, a crime was registered vide Crime No.5486 of 2023 by the KPHB Colony

Police. In the said remand report of A-1, it is mentioned that A-1 and others have taken amount from *de-facto* complainant in the present case namely M.Dileep. The petitioner was already arrested in Crime No.1045 of 2022 and later was released on bail. The Police are now trying to arrest this petitioner on the very same allegations.

4. On the other hand, learned Additional Public Prosecutor on instructions would submit that this petitioner and others have cheated several 100 people running into crores of rupees. The case is still under investigation.

5. As seen from the remand report, Crime No.1045 of 2022, the grievance of the *de-facto* complainant/M.Dileep is also mentioned. The Police have stated that the accused including this petitioner were responsible for collecting Rs.19,00,000/- from the *de-facto* complainant.

6. In the said circumstances, this Court deems it appropriate to grant the relief of anticipatory bail to the petitioner, subject to the following conditions:

- 1) The petitioner/Accused No.2 is directed to surrender before the Station House Officer, KPHB Colony Police Station, Cyberabad on 01.09.2023. On such surrender, the said Station House Officer shall

release the petitioner/Accused No.2 on bail, on his executing personal bond for a sum of Rs.1,00,000/- (Rupees One Lakh only) with two sureties for a like sum each to his satisfaction.

- 2) On such release, the petitioner/Accused No.2 shall appear before the concerned Station House Officer between 10.00 A.M on every Monday and Wednesday for a period of eight weeks and thereafter, as and when required, for the purpose of investigation.
- 3) The petitioner/Accused No.2 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, this Criminal Petition is allowed. Miscellaneous applications, if any pending in this criminal petition, shall stand closed.

K.SURENDER, J

Date : 29.08.2022
dv

THE HON'BLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No.7995 of 2023
Dt.29.08.2023

dv