

THE HON'BLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No.8002 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.25 of 2023 on the file of Charla Police Station, Bhadradri Kothgudem District, registered for the offences punishable under Section 420 of Indian Penal Code and Section 5 of Protection of Depositors Financial Establishment Act, 1999 and Section 4 of Chit Fund Act.

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. The crime was registered by the Charla Police, Bhadradri Kothagudem District. It is alleged that A-1 was running chit business and failed to return the amounts after completion of chit period. The total amount collected was around Rs.68 lakhs.

4. Learned counsel appearing for the petitioner would submit that there are no specific allegations against the

petitioner that he had collected the amounts from any of the chit holders.

5. On the other hand, learned Additional Public Prosecutor on instructions would submit that this petitioner was in fact responsible for running the chit and not making payments to the subscribers at a later date. The amount collectively defrauded is around Rs.68 lakhs.

6. Admittedly, A-3 to A-5 were granted relief of anticipatory bail in the present crime. A-1 was arrested and released on regular bail.

7. In the present 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, Cherla Police Station, Bhadradi Kothgudem District, 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 bonds 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

from 10.00 A.M to 2.00 P.M. from 01.09.2023 to 11.09.2023 for the purpose of investigation and thereafter, as and when required.

- 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.

8. 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
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Dt.29.08.2023

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