

THE HON'BLE SRI JUSTICE B. VIJAYSEN REDDY

CRIMINAL PETITION No.5586 OF 2024

ORDER:

This Criminal Petition is filed, under Section 438 of the Criminal Procedure Code, seeking grant of anticipatory bail to the petitioner/accused in Crime No.235 of 2024 of Jangoan Police Station, Jangoan District, registered for the offences under Sections 386 and 420 of the Indian Penal Code, 1860 (for short, 'I.P.C.').

2. Heard learned counsel for the petitioner, learned Additional Public Prosecutor appearing for the respondent-State and perused the material available on record.

3. Learned counsel for the petitioner submitted that the subject crime was registered pursuant to the complaint dated 11.04.2024 lodged by one Smt. J. Sandhya Rani stating that five years ago, her husband subscribed to a Chit started by the petitioner. About one year back, her husband died and she continued to pay the monthly subscription. After calculating the amounts paid by her, the petitioner informed her that she would get Rs.25,00,000/- in total.

She requested the petitioner several times to pay the matured chit amount, but the petitioner postponed the same on one pretext or other. Three (3) months ago, she went to the house of the petitioner and demanded him to pay the matured chit amount, but he did not pay the amount and asked her to show the documents. When she has showed the documents that are in her possession, the petitioner snatched the same from her, tore them and threatened to kill her. It is also stated that the petitioner threatened her to write on a plain paper stating that he is not due any amount to her and due to fear of her life, she left his house and tried to get back her money through counselling by elders, but the petitioner did not turn up for counselling.

4. The dispute between the petitioner/accused and the *de facto* complainant is regarding recovery of matured chit amount. It is alleged that the petitioner has snatched the documents shown by the *de facto* complainant in proof of payment of subscription amounts. Though it is stated that the *de facto* complainant continued to pay the subscription amounts, which were initially paid by her husband, the details and better particulars of the

payments are not mentioned in the complaint lodged by her with the police. The dates of commencement and completion of the Chit are not stated. The allegation regarding the petitioner admitting payment of matured chit amount of Rs.25,00,000/- is very vague. So also, the allegations regarding extortion and threatening the *de facto* complainant are vague and the dates or period of such threats or extortion are not mentioned.

5. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner/accused.

6. Hence, the Criminal Petition is allowed and the petitioner is directed to surrender before the Station House Officer, Jangoan Police Station, Jangoan District, within 15 days from today. On such surrender, the petitioner shall be released on bail on his executing a personal bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties for a like sum each to the satisfaction of the said Station House Officer. Further, on such release, the petitioner shall abide by the following conditions:

1. The petitioner shall make himself available for investigation as and when required by the police.
2. The petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any police officer;
3. The petitioner shall not leave India without prior permission of the Court.

As a sequel, miscellaneous applications, if any, pending shall stand closed.

May 30, 2024.

RRK/MD

B. VIJAYSEN REDDY, J