

THE HON'BLE DR.JUSTICE SHAMEEM AKTHER

CRIMINAL PETITION No.284 OF 2019

ORDER:

This Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973, is filed by the petitioner/A.1, for grant of anticipatory bail in Crime No.172 of 2018 of Manthani Police Station, Peddapalli District, registered for the offence punishable under Section 420 read with 34 of IPC.

2. Heard the learned counsel for the petitioner/A.1, the learned Additional Public Prosecutor representing the respondent-State and perused the record.

3. Learned counsel for the petitioner/A.1 would contend that the petitioner is only a car driver. He has nothing to do with the money of Rs.9,00,000/- alleged to have taken away from the *de facto* complainant-Y.Ramesh and disappearance of the same as mentioned in the report lodged with the police and ultimately prayed to allow the petition.

4. Learned Additional Public Prosecutor representing the respondent/State opposed the grant of bail to the petitioner/A.1 and ultimately, prayed to dismiss the petition.

5. As per the FIR, dated 06.10.2018, the petitioner/A.1 along with other accused made the *de facto* complainant-Y.Ramesh to believe that on performing poojas, etc., the money would be doubled and the *de facto* complainant gave an amount of Rs.9,00,000/-. This petitioner and other accused took cash of Rs.9,00,000/- and absconded from the scene of offence when the *de facto* complainant

went to submerge the coconuts, etc., in Godavari river at Godavari khani.

6. There are specific and grave allegations against the petitioner/A.1 and other accused in this case regarding their running away with Rs.9,00,000/- belonging to the *de facto* complainant. The matter requires custodial interrogation. Hence, it is not a fit case to allow the petition under Section 438 of Cr.P.C.

7. In the result, the Criminal Petition is dismissed.

DR. SHAMEEM AKTHER, J

Date: 31.01.2019
ssp