

HONOURABLE SRI JUSTICE C. PRAVEEN KUMAR

CRIMINAL PETITION No.3380 of 2015

ORDER :

The petitioner, who is accused No.2 in Crime No.18 of 2015 of Aspari Police Station, Kurnool District, filed the present application under Section 438 Cr.P.C. seeking release in the event of his arrest in connection with the above crime registered against him and another for the offence punishable under Section 408 34 IPC.

The case of the prosecution is that the petitioner – A2, being a Field Assistant under NREG Scheme misappropriated an amount of Rs.50,000/- in collusion with A1. Basing on the said allegation, the above case came to be registered.

Learned counsel for the petitioner submits that the petitioner is only a Field Assistant and he never indulged in the act of mis-appropriation.

A perusal of the material placed before this Court would disclose that the petitioner along with A2 misappropriated a sum of Rs.2,20,000/-. Hence, I am not inclined to grant anticipatory bail to the petitioner. At this stage, learned counsel for the petitioner submits that a direction may be given to the trial Court to dispose of the application at the earliest in the event of his surrender.

Having regard to the submission made by the learned counsel for the petitioner, the Criminal Petition is disposed of by directing the petitioner-A2 to surrender before the concerned Court and move an application for bail after giving prior notice to the Public Prosecutor, in which event the same shall be dealt with, in accordance with law, either on the same day or at the earliest.

With the above direction, the Criminal Petition is disposed of.

C. PRAVEEN KUMAR, J

April 24, 2015.

KTL