

THE HON'BLE SRI JUSTICE T. SUNIL CHOWDARY

CRIMINAL PETITION No.4608 of 2015

ORDER:

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This petition is filed under Section 438 Cr.PC by the petitioner/ A3 seeking anticipatory bail in Crime No.168 of 2015 of Khanapuram Haveli Police Station, Khammam District registered for the offence punishable under Section 420 IPC.

2. The case of the prosecution is that the *de facto* complainant purchased the house bearing No.5-2-248/1, situated at Road No.8, Sri Ram Nagar Road, Khammam Town under a registered sale deed dated 21.3.2012 for an amount of Rs.22,00,000/- from M.Malyadri (A1). The *de facto* complainant paid an amount of Rs.2,00,000/-. The petitioner herein/A3 i.e., Chief Manager of Allahabad Bank sanctioned loan in favour of *de facto* complainant on submission of original documents by Malyadri (A1). The *de facto* complainant let out the house on rent to one Venkateswara Rao. While so, on 02.3.2015, Sri Patnaik (A2) i.e., the Manager of Andhra Pradesh Grameen Vikas Bank (APGVB), Khammam Branch along with his staff came to the house and directed the tenant of *de facto* complainant to vacate the house as the same was mortgaged with their Bank. The specific case of the *de facto* complainant is that the petitioner/A3 along with others cheated her.

3. Heard the learned counsel for the petitioner and learned Public Prosecutor.

4. It is not the case of the *de facto* complainant that she purchased the house property basing on the statement made by the petitioner/A3. Even as per the allegations made in the complaint, the petitioner has not properly explained the reasons how they granted loan to her when the property was already mortgaged with APGVB. The petitioner is working as Chief Manager is Allahabad Bank, R.S.Puram, Coimbatore.

5. Taking into consideration the nature of the employment of the petitioner and allegations made against him, I am of the considered view that it is a fit case to grant anticipatory bail to the petitioner.

6. In the result, the petition is allowed, granting anticipatory bail to the petitioners on the following conditions.

1. The Station House Officer, Khanapuram Haveli Police Station is hereby directed to release the petitioner / A3 on bail in the event of his arrest in Crime No.168 of 2015 on his furnishing a self bond for Rs.20,000/- (Rupees Twenty Thousand only) with two sureties for a like sum each to his satisfaction,
2. The petitioner shall make himself available for interrogation by a police officer as and when required,
3. 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 from disclosing such facts to the court or to any police officer,
4. He shall not leave India without the previous permission of the Court.

JUSTICE T. SUNIL CHOWDARY

28.5.2015

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