

HON'BLE Dr. JUSTICE B. SIVA SANKARA RAO

CRIMINAL PETITION No.8318 of 2015

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ORDER :

This criminal petition is filed by the petitioner/A.2 under Section 482 Cr.P.C seeking to quash the proceedings in Crime No.112 of 2015 of Atmakur Police Station, SPSR Nellore District, registered for the offences punishable under Sections 409 and 420 read with 34 IPC.

2. Heard the learned counsel for the petitioner as well as the respondent-State represented by the Public Prosecutor and perused the material on record.

3. The petitioner is A.2. The above crime is registered against three accused persons on 07.08.2015. The petitioner is working as Head Mistress of Z.P. Girls High School. It is submitted by the learned counsel for the petitioner that A.1, who is a Senior Accountant of the Sub-Treasury Office and A.3, who is a bank employee, are facilitating the petitioner/A.2 for mis-appropriation of money, which is surrender leave salaries of the teaching and non-teaching staff of the college to a tune of Rs.50,93,640/-.

4. The petitioner is already under suspension and departmental enquiry is pending. She is not so far arrested. Investigation is in progress and she being a public servant, there is nothing to apprehend of fleeing from clutches of law or unavailability for any requirement

of interrogation by the police.

5. Having regard to the above and from the facts fall short for this Court to admit the criminal petition to quash the F.I.R. processing, but for disposal considering the petitioner's entitlement to the concession of bail.

6. Accordingly, this criminal petition is disposed of giving liberty to the petitioner to surrender before the learned Magistrate concerned and move for regular bail with notice to the A.P.P. concerned and in such an event and after hearing the Assistant Public Prosecutor concerned, the learned Magistrate shall grant bail with necessary conditions on the same day including appearance for interrogation by the police and the like. The presence of the petitioner can be dispensed with before the Court at post bail stage pending investigation. Further remedies are left open to the petitioner after police filing final report and any cognizance taken by the learned Magistrate.

7. Miscellaneous petitions pending, if any, shall stand closed.

Dr. B. SIVA SANKARA RAO, J

2nd September 2015.

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