

HON'BLE SRI JUSTICE M.S.K.JAISWAL

CRL.P.No.6236 of 2015

ORDER:

This is an application filed by the petitioner-accused under Section 438 Cr.P.C. seeking anticipatory bail in the event of his arrest in connection with Crime No.187 of 2015 on the file of V-Town Police Station, Nellore District, registered for the offences punishable under Sections 420, 380, 467, 468 I.P.C.

The case of the prosecution, in brief, is that one unknown person came to Andhra Bank, A.K.Nagar branch, Nellore, on 23.04.2015, and sought for presenting a cheque to withdraw Rs.66,00,000/- from the account of D.M.H.O., Nellore, and on suspicion, the bank officials informed the same to the defacto complainant, who in turn enquired into the matter and found three cheque leaves were stolen away from the cheque book maintained by the Junior Assistant of the hospital. It is further alleged that one of the three cheques bearing No.000684 for Rs.46,000/- has been withdrawn by the said unknown person by forging the signature of the hospital officials.

Learned Counsel for the petitioner submitted that one Atmakuru Murali, who is an employee of the defacto complainant's department, was indebted to the petitioner to a tune of Rs.6,00,000/- and after repeated requests the said Murali used to issue cheques in favour of the petitioner and that some of the cheques were being withdrawn by the

petitioner for Rs.60,000/- and Rs.1,21,000/-. He further submitted that when the petitioner demanded the said Murali to discharge entire debt, he deposited an amount of Rs.23,00,000/- into the bank account of the petitioner without his knowledge and consent. He further submitted that the petitioner has nothing to do with the alleged offence.

Learned Public Prosecutor submitted that the confessional statement of A-2 and A-3, who are employees of the hospital, reveals that it is the petitioner herein who advised them to commit the offence and has also facilitated them in committing the offence. He further submitted that the investigation is not yet completed in this case and, therefore, it is not a fit case to grant bail to the petitioner.

Keeping in view the specific allegation leveled against the petitioner and also the gravity of the offences alleged against the petitioner, I am of the view that it is not a fit case to grant bail to the petitioner herein at this stage.

Accordingly, the Criminal Petition is dismissed.

M.S.K.JAISWAL, J

20-08-2015

Gsn