

THE HON'BLE SRI JUSTICE SURESH KUMAR KAIT

CRIMINAL PETITION No.15107 of 2016

ORDER:

Vide the present petition, the petitioners/Accused Nos. 2, 4, 8, 12 & 13 seek direction thereby releasing them on bail in the event of arrest in connection of Crime No.97 of 2016 of Attili Police Station, West Godavari District.

Heard the learned counsel appearing on behalf of the petitioners and the learned Additional Public Prosecutor appearing on behalf of the respondent-State.

Learned counsel appearing on behalf of the petitioners submits that the petitioners are innocent. The 1st and 2nd petitioners belong to the Skinnapuram Grama Society. The 3rd petitioner belongs to Ballipadu Grama Society. The 4th petitioner belongs to Gandhi Grama Society and the 5th petitioner is the Assistant Project Manager (E.O.DWACRA). Learned counsel submits that the petitioners are only responsible for applying for the loans and the 5th petitioner approves the loan application. After sanctioning of loan, the amount was deposited in the bank and has been withdrawn by self help groups. Learned counsel further submits that as per the report, the loan amount has to be distributed by the relevant self help groups but not by the Grama Societies. The alleged misappropriation cannot be attributed to the petitioners, as they are not responsible for the disbursal of the loans.

In the complaint dated 04.08.2016 on the file of the Station House Officer, Attili Police Station, it is alleged that the duty of the

Community Coordinators is to give information to select the beneficiaries in Grampanchayat levels by the Village Societies. The duties of the coordinators are that to specify what quantity of loan is necessary for which purpose and send the proposals to the Sthree Nidhi Bank. The duty of the Assistant Project Director (EO DWACRA) has to provide approval for sanction of loan after verification of the details made under the application or request and the entire money transaction will be done through Streenidhi Website only.

It is stated in the complaint that the allegation against Sri V. Ramachandra Rao, Community Coordinator, Accused No.4, who is 2nd petitioner herein is that he has requested for loan to 11 members under Unnati scheme in Skinnerapuram village, Attili Mandal. 11 members were allotted loan, but they have given loan only for 5 members and the remaining 6 members' loans were given to others instead of original allottees. According to the Rules, this cannot be done. In Skinnerapuram Grama Society, Attili Mandal, a total of Rs.3,96,000/- was granted, out of which, Rs.1,70,000/- was only distributed to the original allottees and remaining was diverted to the others.

It is further stated in complaint that the allegation against Smt C.H.Sujatha, Community Coordinator, Accused No.3, who is the 3rd petitioner herein is that he has requested for loan to 8 members under SC Sub Plan. Accordingly, Ballipadu Grama Society has sanctioned Rs.3,96,000/- and only Rs.2,00,000/- was given to the original members and remaining Rs.1,96,300/- was diverted to others instead of original allottees.

It is further stated in the complaint that the allegation against Sri T. Ranga Dayappa, Community Coordinator, the Accused No.12, who is the 4th petitioner herein is that he has requested for loan to 9 members under SC Sub Plan. Accordingly, the Kranthi Grama Society, Attili has sanctioned Rs.3,96,000/- and only Rs.50,000/- was given to one member and remaining Rs.3,46,300/- was diverted to others.

Keeping in view the facts and circumstances of the case, since the allegations are serious, as the petitioners have misappropriated the money of poor people and the investigation is at the advanced stage, the charge sheet has yet to be filed, I am not inclined to grant bail to the petitioners.

Accordingly, the Criminal Petition is dismissed.

Miscellaneous Petitions, if any pending, shall stand closed.

JUSTICE SURESH KUMAR KAIT.

Date: 19-10-2016
Gvl