

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

CRIMINAL PETITION NO.1511 of 2016

ORDER:

The petitioner, who is A.1, filed the present application under Section 438 Cr.P.C seeking to enlarge him on bail in the event of his arrest in connection with Crime No.177 of 2015 of Amadalavalasa Police Station, Srikakulam District, registered for the offence punishable under Sections 403, 409 and 420 IPC.

2. Heard.

3. The case of the prosecution is that the District Cooperative Officer, Srikakulam, conducted an inquiry under Section 51 of the A.P.C.S. Act, 1964, with regard to the financial irregularities that occurred in Krishnapuram PACS and submitted a report, wherein it was found that the petitioner, who was working as C.E.O., along with one K.Upendrudu misappropriated an amount of Rs.4,14,932.45 ps. After completion of Inquiry, surcharge proceedings under Section 60 of the APCS Act were issued.

4. Learned counsel for the petitioner submits that the petitioner is aged about 64 years and also retired from service more than eight years ago. He further submits that the petitioner is a heart patient and as such seeks grant of Anticipatory bail.

5. Learned Public Prosecutor opposed the same.

6. A perusal of the material on record shows that an Inquiry was conducted under Section 51 of the APCS Act. *Prima facie*, the report discloses that the petitioner and one K.Upendrudu misappropriated an amount of Rs.4,14,932.75 ps and as such, an order came to be passed under Section 60 of the APCS Act to make good to the funds of the society.

7. In view of the allegations made in the report, I am not inclined to grant anticipatory bail to the petitioner, but, however, the petitioner shall surrender himself before the concerned Court and make an application for grant of bail, after giving prior notice to learned Public Prosecutor, in which event, the same shall be considered in accordance with law either on the same day or at the earliest.

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

JUSTICE C. PRAVEEN KUMAR

16.02.2016
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