

THE HONOURABLE Dr. JUSTICE B.SIVA SANKARA RAO

CRIMINAL PETITION No.7294 of 2016

ORDER:

This Criminal Petition is filed under Section 438 Cr.P.C by petitioner/Accused seeking anticipatory bail in connection with a case in Crime No.52/2016 of Kataram Police Station, Karimnagar District, registered against the petitioner for the offences punishable under Sections 409 and 420 IPC.

2. Heard learned counsel for the petitioner, the learned Additional Public Prosecutor for the Respondent-State and perused the material placed on record.

3. The petitioner is a Post Graduate Teacher in Hindi in TTWURC (B) Marrimadla, Karimnagar District. A perusal of the enclosures to the bail application show that there were recovery proceedings, dated 15.08.2014, issued by the Additional Joint Collector and District Secretary, Gurukulam, Karimnagar, to recover an amount of Rs.64,082/- from the salary of the petitioner/accused and remit the same to the funds of TTWRS (B), Kataram. The alleged embezzled amount was recovered and sent by way of Demand Draft bearing No.801971, dated 06.04.2016 to the Principal, Kataram on the same day. But, it appears that as per the instructions of District Secretary, Gurukulam, Hyderabad the same was returned and prosecution was launched, for which report is given in registration of the crime.

4. The alleged embezzled amounts are of the year 2011-2012. The petitioner went unsuccessful in moving Anticipatory Bail in CrI.M.P.No.468 of 2016 in Crime No.52 of 2016 by an order, dated 09.05.2016 passed by the learned VI Additional District and Sessions Judge, Godavarikhani.

5 Having regard to the circumstances stated in the petition as well as the submissions made by the learned counsel, instead of dismissing from not entitled to the pre-arrest bail, but for regular bail in considering petitioner's personal liberty, this application is disposed of, by giving liberty

to the petitioner-Accused to surrender before the Learned Magistrate concerned to take into custody under Section 44 Cr.P.C by virtue of this order, move before the learned Magistrate for regular bail and with notice to learned Assistant Public Prosecutor concerned and in such an event, the learned Judge/Magistrate shall consider for granting of bail in favour of the petitioner with necessary conditions preferably on the same day, if not at least by the next day with necessary conditions.

Miscellaneous petitions, if any, pending in this Criminal Petition shall stand closed.

Dr. B.SIVA SANKARA RAO, J

May 26, 2016
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THE HONOURABLE Dr. JUSTICE B.SIVA SANKARA RAO

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CRIMINAL PETITION No.7294 of 2016

Date:26.05.2016

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