

THE HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY

CRIMINAL PETITION No.2041 of 2017

ORDER:

This criminal petition under Section 438 Cr.P.C. is filed by the petitioners/accused Nos.1 to 5 in crime No.5 of 2017 of Rolla Police Station, Ananthpur District, registered for the offences punishable under Sections 468, 471, 408, 409, 477(A) and 420 read with Section 34 I.P.C. for grant of pre-arrest bail apprehending their arrest in the above crime.

2. First petitioner is the Project Officer, second petitioner is the Assistant Project Officer, third and fourth petitioners are the Technical Officers and fifth petitioner is the Computer Operator of a non-Government organization respectively. They allegedly committed misappropriation of Rs.79,64,079/-, which was arrived at based on social audit report. According to the petitioners, they were no way concerned with misappropriation of amount and produced certain documents to show as to how the amounts were utilized by them.

3. The learned Public Prosecutor appearing for the respondent-State has submitted that the above crime was registered on 03.02.2017, that the investigation is not yet completed and that so far only three witnesses were examined and their statements does go to establish, *prima facie*, that the petitioners misappropriated amount to the tune of Rs.79,64,079/- and therefore, the petitioners are not entitled to be released on pre-arrest bail.

4. As seen from the material available on record, the entire case is based on the documents and in case the petitioners are enlarged on bail, there is a possibility of tampering of the evidence. Therefore, taking into consideration of the facts and circumstances of the case, including that

huge amount is involved and the stage of the investigation, I find that this is not a fit case to enlarge the petitioners on pre-arrest bail and the criminal petition is liable to be dismissed.

5. The Criminal Petition is, accordingly, dismissed.

(M.SATYANARAYANA MURTHY, J)

16th March, 2017
GHN

