

THE HON'BLE DR. JUSTICE SHAMEEM AKTHER

CRIMINAL PETITION No.9713 OF 2017

ORDER:

Heard learned counsel for the petitioner/A.8, learned Additional Public Prosecutor for the respondent State and perused the record.

This petition is filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner/A.8 in Crime No.228 of 2017 of Ieeja Police Station, Jogulamba Gadwal District, for the offences punishable under Sections 420, 406, 409, 468, 471 and 120-B IPC.

Learned counsel for the petitioner would submit that the petitioner is falsely implicated in this case. At the first instance, enquiry is ordered, but enquiry is not yet completed. As per the requisition given by the Circle Inspector of Police, the petitioner alleged to have indulged in this case. During the tenure of this petitioner, there is a variation with regard to the work carried i.e., Rs.70,00,000/- odd. There are no specific and grave allegations against the petitioner. The petitioner worked only for 3 ½ years as Commissioner of Municipality at the subject place. The other accused/A.1 to A.5 were granted bail and ultimately prayed to allow the petition.

Learned Additional Public Prosecutor opposed the grant of bail to the petitioner.

The material on record reveals that A.1 to A.5 were granted regular bail. There is also a record to show that during the tenure of this petitioner, some work has been carried on without complying the regulations furnished by the Government and

amount has been misappropriated without there being actual work carried and vouchers were manipulated. There are also allegations that the petitioner did not visit the sites relating to construction of water sump with storage capacity of 100 KL and some pipelines at Teachers colony. He approved the work and passed the fake bills. Thus, he caused loss to the State exchequer to a tune of Rs.15,53,504/-. The allegations are grave. The matter requires thorough investigation. There is possibility of causing disappearance of material documents and winning over the witnesses. Release of the petitioner under Section 438 Cr.P.C. would hinder the investigation. Viewed from any angle, it is not a fit case to allow the application under Section 438 Cr.P.C.

In the result, the Criminal Petition is dismissed.

Miscellaneous petitions pending, if any, shall stand closed.

29th November, 2017.
ssp

Dr. SHAMEEM AKTHER, J