

**THE HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY**

**CRIMINAL PETITION NO.2631 OF 2017**

**ORDER:**

This petition is filed under Sections 437 and 439 of Criminal Procedure Code (for short "Cr.P.C.") by accused in Crime No.06/RCA-ACB-VSP/2017 of Police Station, Anti Corruption Bureau, Visakhapatnam, registered for the offences punishable under Sections 13 (2) read with 13 (1) (e) of Prevention of Corruption Act, to enlarge him on bail in connection with the above crime as he is in judicial custody since 23.02.2017.

The petitioner is the Tahsildar, Bhimili Mandal, Visakhapatnam City, who joined in service on 03.12.1986 as Junior Steno in the Revenue Department and worked as such in different places in Visakhapatnam District, later he was promoted as Deputy Tahsildar in the year 2011 and promoted as Tahsildar in 2015. Basing on his bad reputation, a discreet enquiry was conducted and came to know that the petitioner misused and abused his official position and by dubious means purchased both movable and immovable properties in the name of his family members. The petitioner blessed with two daughters. His elder daughter Sireesha completed her physiotherapy course in 2010 at VAPMS College of Physiotherapy, Bakkannapalem, Visakhapatnam and got married with T.Venkata Mani Pavan Kumar in the year 2010 and the said T.Venkata Pavan Kumar earlier worked in L & T Company and presently working as Project Manager in Godrej Properties and they are staying at Borabanda, Hyderabad. Younger daughter of the petitioner by name Swetha was married with his nephew T.Vaibhav in the year 2013 and he is working as

Information Security Analyst in HSBC and staying at Begumpet, Hyderabad.

The petitioner during the check period from 03.12.1986 till 20.02.2017 by his illegal and dubious means earned assets i.e. houses, house plots and house flats etc., valued about Rs.1,67,33,000/- at Visakhapatnam District in his name and in the names of his family members. The income of the petitioner from all legal sources during the check period is worked out to Rs.51,00,000/- and the expenditure incurred by him for the maintenance of his family, children education, Insurance, Telephones etc., during the said check period is worked out to Rs.34,43,350/- and the savings of the petitioner would be Rs.16,56,650/-, but he was in possession of properties worth in crores, therefore, the petitioner committed serious offence punishable under Sections 13 (2) read with 13 (1) (e) of Prevention of Corruption Act.

Learned counsel for the petitioner contended that the petitioner is in jail since long time and the entire investigation is completed, thereby he is entitled for bail.

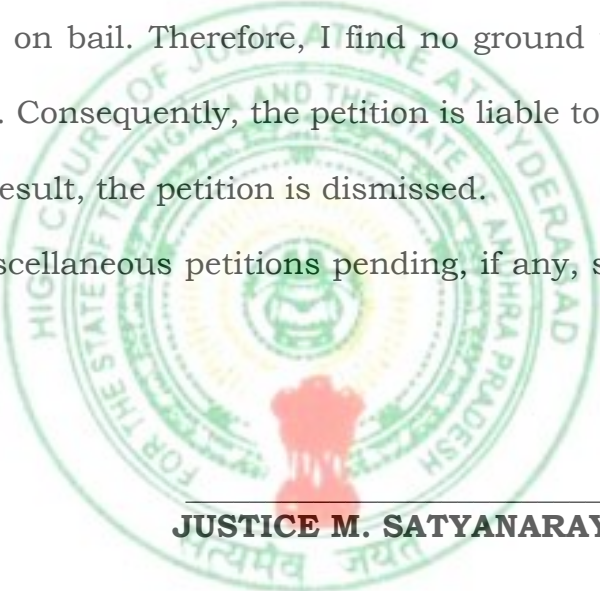
Whereas the Standing Counsel for Anti Corruption Bureau would contend that while inventory is going on a person from same mandal B. Sreenivasa Raop, approached the petitioner and offered bribe of Rs.35,000/- to the petitioner on demand to issue a e-passbook to the said person by name B.Srinivasa Rao, in such case he is not entitled to bail.

According to the prosecution, the petitioner was found in possession of properties worth Rs.5,24,49,851/- as per market value, but the book value was Rs.1,67,33,000/- and an amount of

Rs.14,40,000/- was seized from the house of the petitioner at the time of raid and at the same time B.Srinivasa Rao offered Rs.35,000/- for issuance of e-passbook, to the petitioner. This itself is suffice to conclude that the petitioner is addicted to high level corruption and he demanded Rs.35,000/- while inventory is going on by the Anti Corruption Bureau officials is somewhat peculiar circumstance. When the petitioner is a man of such corrupt practice *prima facie*, he cannot be enlarged on bail, that apart investigation is not completed and there is every possibility to interfere with the further investigation in the event of enlarging the petitioner on bail. Therefore, I find no ground to grant bail to the petitioner. Consequently, the petition is liable to be dismissed.

In the result, the petition is dismissed.

The miscellaneous petitions pending, if any, shall also stand closed.



**JUSTICE M. SATYANARAYANA MURTHY**

11.04.2017  
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