

THE HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

CRIMINAL PETITION No.7072 of 2017

ORDER:

This criminal petition is filed by the petitioner-accused, under Section 438 Cr.P.C., seeking bail in the event of his arrest in Crime No.37 of 2017 on the file of the Station House Officer, Machavaram Police Station, Guntur District, registered for the offence punishable under Section 409 IPC.

2. The learned counsel for the petitioner submitted that the petitioner was falsely implicated in this case, even though he handed over an amount of Rs.74,500/- to MPDO, therefore, it is a fit case to grant pre-arrest bail to the petitioner. ***Per contra***, the learned Additional Public Prosecutor representing the State submitted that the petitioner misappropriated an amount of Rs.74,500/-, therefore, it is not a fit case to grant pre-arrest bail to the petitioner.

3. The case of the prosecution is that on 28.04.2017, an amount of Rs.2,24,500/- was entrusted to the petitioner by way of cheque bearing No.529986 for distribution of the said amount to pensioners. It is the further case of the prosecution that the petitioner distributed an amount of Rs.1,50,000/- to the pensioners and did not return the remaining amount of Rs.74,500/-. Basing on the complaint lodged by MPDO, the Station House Officer, Machavaram Police Station, registered the above case.

4. A perusal of the record reveals that the petitioner has been working as VRO of Machavaram village of Guntur District. A perusal of the record further reveals that an amount of Rs.2,24,500/- was entrusted to the petitioner for distribution of the same to the eligible pensioners. A perusal of the record *prima facie* reveals that the petitioner misappropriated an amount of Rs.74,500/-. The learned Additional Public Prosecutor submitted that the District Collector, Guntur, suspended the petitioner on 02.06.2017 on the ground that he misappropriated the money payable to the pensioners.

5. Taking into consideration the gravity of the offence alleged to have been committed by the petitioner, this Court is of the considered view that it is not a fit case to grant pre-arrest bail to the petitioner-accused.

6. In the result, the criminal petition is dismissed.

18th September, 2017
Rns

T.SUNIL CHOWDARY, J