

**HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH
MONDAY, THE EIGHTEENTH DAY OF DECEMBER
TWO THOUSAND AND SEVENTEEN**

:PRESENT:
THE HON'BLE DR. JUSTICE SHAMEEM AKTHER

CRL. P. NO:11404 of 2017

Between:

S. Venkateshwarlu S/o. Uppalaiah, aged 47 years, Occ: Bank Manager, R/o. H.No.1-2-14/A/4, Hanuman Nagar, Peddapally Mandal and District, (Karimnagar District.)

..... Petitioner/Accused No.1

AND

The State of Telangana, Rep. by Public Prosecutor, High Court at Hyderabad, For the State of Telangana and A.P., P.S. Koyyur, Jayashanker Bhupalapally District.

.....Respondent/Complainant

Petition under Section 438 of Cr.P.C., praying that in the circumstances stated in the petition and the grounds filed herein, the High Court may be pleased to enlarge the liberty of the Petitioner /A1 by granting an Anticipatory Bail in favour of the petitioner in the event of his arrest in FIR No. 88/2017, on the file of P.S. Koyyur, Jayashanker Bhupalapally District, (Karimnagar District).

Counsel for the Petitioner : SRI ARUN KUMAR DODDLA

Counsel for the Respondent : ADDL. PUBLIC PROSECUTOR (TS)

The Court made the following ORDER:

“This Criminal Petition is filed by the petitioner/A.1 under Section 438 of Cr.P.C. for grant of anticipatory bail to him in Crime No.88 of 2017 of Koyyur Police Station, Jayashanker-Bhupalappali District, registered for the offences punishable under Sections 468, 471, 420, 406 and 409 read with 34 I.P.C.

2. Heard the learned counsel for the petitioners/A.1, learned Additional Public Prosecutor representing the respondent-State, and perused the record.

3. The learned counsel for the petitioner/A.1 would submit that the petitioner is working as a Bank Manager in Telangana Grameena Bank, Koyyur Branch and he is falsely implicated in this case. Having come to know that some of the villagers obtained crop loans from the bank fraudulently by fabricating the patta passbooks and other copies of documents, the petitioner/A.1 sent a letter to his higher officials to accord permission to prosecute those farmers. The petitioner/A.1 acted with due diligence in lending money to the farmers. There is no intention on the part of

petitioner/A.1 to commit fraud on the Grameena Bank and ultimately prayed to allow the application.

4. The learned Additional Public Prosecutor opposed the grant of bail to the petitioner/A.1.

5. As per the material placed before this Court, 41 farmers belonging to Thadicherla Village obtained crop loans from the Bank by fabricating the copies of patta passbooks and revenue records. When the same came to knowledge of the petitioner/A.1, he submitted a report to the Regional Manager, Telangana Grameena Bank, with regard to fraudulently obtaining the crop loans by the farmers and sought permission to lodge a complaint against those farmers. The said letter is dated 24.01.2017. This petitioner/A.1 also wrote a letter, dated 06.12.2016, to the Tahsildar, Malahar Rao Mandal, asking the genuineness or otherwise of the copies of the documents furnished by the farmers to obtain the crop loans.

6. It is also brought to the notice of this Court during the course of submissions that the Field Officer concerned has to verify the genuineness of the documents, existence of crop before the sanction of loan and thereafter, he has to do that periodically. It is also submitted to this Court that an enquiry is ordered against this petitioner/A.1 also. Whether the petitioner/A.1 acted with *mala fide* intention in sanctioning 41 crop loans to different farmers is yet to be established. There is mention that the petitioner/A.1 has sanctioned loans to the aforesaid farmers by violating the regulations of Bank. Under these circumstances, the petitioner/A.1 is entitled to bail under Section 438 Cr.P.C.

7. Accordingly, the petitioner/A.1 is directed to surrender before the Station House Officer, Koyyur Police Station, Jayashanker-Bhupalapalli District, within a period of 15 days from the date of this order. On such surrender, the Station House Officer, Koyyur Police Station, Jayashanker-Bhupalapalli District, shall release the petitioner/A.1 on bail on his executing a personal bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties in a like sum each to the satisfaction of the Station House Officer, Koyyur Police Station, Jayashanker-Bhupalapalli District. After being released on bail, the petitioner/A.1 shall report before the Station House

Officer, Koyyur Police Station, Jayashanker-Bhupalapalli District, on every Sunday between 9-00 a.m. and 10-00 a.m. till filing of the charge sheet. The petitioner/A.1 shall also abide by the conditions stipulated in Section 438(2) Cr.P.C. and cooperate with the investigating officer in the investigation of the case.

8. This Criminal Petition is, accordingly, allowed. As a sequel, miscellaneous petitions, if any, pending in this Criminal Petition shall stand closed.”

ASSISTANT REGISTRAR

//TRUE COPY//

For ASSISTANT REGISTRAR

To

1. The Addl. Judicial Magistrate of First Class, Manthani, Karimnagar District.
2. The Station House Officer, Koyyur Police Station, Jayashanker Bhupalapally District (Karimnagar District)
3. Two Ccs to Public Prosecutor (TS), High Court of Judicature, at Hyderabad (OUT)
4. one CC to Sri Arun Kumar Doddla, Advocate (OPUC)
5. one Spare Copy



AB
DRAFTED ON 19-12-2017

HIGH COURT

DR.SA,J

DATE: 18-12-2017



ORDER
CRL.P. NO. 11404 OF 2017

DIRECTION