

THE HON'BLE DR. JUSTICE SHAMEEM AKTHER

CRIMINAL PETITION Nos.10911 OF 2017

ORDER:

Heard learned counsel for the petitioner/A2 and 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.2 in Crime No.24 of 2017 of Seetharamapuram Police Station, SPSR Nellore District, for the offences punishable under Sections 409, 420, 423, 463, 464, 468 and 471 read with Section 120-B IPC.

Learned counsel for the petitioner/A.2 would submit that no misappropriation of bank amounts was made by the petitioner/A.2. The petitioner is residing outside the State of Andhra Pradesh. After due enquiry, the petitioner was reinstated into service. During his suspension, he collected money to the extent of Rs.7,90,150/-. Charges were also framed by the bank. The allegations against the petitioner are not true and the petitioner is entitled for bail.

On the other hand, learned Additional Public Prosecutor opposed the grant of bail to the petitioner/A.2.

As per the material placed before this Court, while working as a Manager in Punjab National Bank, the petitioner/A.2 manipulated loan accounts and fictitious loans were given. Altogether, 147 dairy loans were fictitious relating to Punjab National Bank, Basinepalli Branch. When the petitioner was transferred, the bank officials came to know that the so-called borrowers reported that they did not avail loans from the Bank.

The petitioner along with A.1 and other accused belonging to Heritage authorities committed fraud to a tune of Rs.82,50,000/-. During the course of investigation, Rs.28,75,931/- was recovered. There was sanction of loan amounts without authority and proper identification of the borrowers. There are so many other allegations against the petitioner/A.2 which are grave in nature. Revocation of suspension and framing of charges by the department are not the grounds to allow the petition under Section 438 Cr.P.C. In view of gravity of offence and as there is severe punishment prescribed for the offences, release of the petitioner under Section 438 Cr.P.C. would hinder the investigation. There is every possibility of winning over the witnesses and causing disappearance of material evidence. Therefore, it is not a fit case to grant bail to the petitioner under Section 438 Cr.P.C.

In the result, the Criminal Petition is dismissed.

Dr. SHAMEEM AKTHER, J

16th NOVEMBER, 2017.
ssp