

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

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

CRL. P. NO:11949 of 2017

Between:

A.Jyothirmayi D/o. A.Veera Vasantha Rao, Aged 49 years, Occ: Assistant Registrar, R/o.
D.No. 7/285/A, Baginapalli Thota, Nuzivedu, Krishna District

..... Petitioner/Accused No.11

AND

The State of Andhra Pradesh, rep. by its Public Prosecutor, through ELuru III Town Police
Station, West Godavari District.

.....Respondent

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 direct the concerned police station to release the petitioner on bail in connection with F.I.R No. 207 of 2017 dated 11.10.2017 on the file of the Eluru III Town Police Station, West Godavari District.

Counsel for the Petitioner : M/S PILLIX LAW FIRM

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

The Court made the following ORDER:

“This Criminal Petition is filed under Section 438 Cr.P.C. to grant anticipatory bail to the petitioner-A.11 in Crime No.207 of 2017 of III Town Police Station, Eluru, West Godavari District, registered for the offences punishable under Sections 176, 177, 406, 409, 420, 468, 471 I.P.C. r/w Section 34 I.P.C.

2. Heard M/s. Pillix Law Firm, learned counsel for the petitioner-A.11 and the learned Additional Public Prosecutor appearing for the respondent-State, apart from perusing the material available on record.

3. The learned counsel for the petitioner would submit that the petitioner-A.11 is the Assistant Registrar working in the District Scheduled Caste Service Cooperative Limited, Eluru, West Godavari; the allegations leveled against the petitioner-A.11 relates to the years 2005 and 2007 and the petitioner worked on deputation at that time as A.A.O.; the allegations leveled against the petitioner-A.11

are false and the petitioner-A.11 is falsely implicated in this case; and ultimately, prayed to grant bail to the petitioner under Section 438 Cr.P.C.

4. On the other hand, learned Additional Public Prosecutor appearing for the respondent-State opposed the grant of bail to the petitioner under Section 438 Cr.P.C.

5. In view of the contentions putforth by both sides, the point for determination is, whether the petitioner-A.11 is entitled for bail under Section 438 Cr.P.C.?

6. The material on record reveals that the petitioner-A.11 is working as Assistant Registrar in the District Scheduled Caste Service Cooperative Limited, Eluru, West Godavari. It is alleged that the petitioner-A.11 is responsible for payment of revised salaries, increments and other benefits to the other accused who are working as Section Writers. While dealing with the bail applications of the other accused in this case, i.e., A.1 to A.5, A.7 and A.8, in CrI.P. Nos.10822, 11289 and 11716 of 2017, this Court elaborately dealt with the subject matter and granted bail to them *vide* orders dated 12.12.2017 under Section 438 Cr.P.C. The allegations made against this petitioner-A.11 are similar to the allegations made against the petitioners in the above petitions. Therefore, this petitioner-A.11 can also be granted bail under Section 438 Cr.P.C.

7. In the result, the petitioner-A.11 is directed to surrender before the Station House Officer, III Town Police Station, Eluru, within a period of 15 days from today. On such surrender, the Station House Officer, III Town Police Station, Eluru, shall release the petitioner-A.11 on bail on petitioner-A.11 executing a personal bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties each for a like sum to the satisfaction of the same S.H.O. On release, the petitioner-A.11 shall abide by the conditions mentioned in Section 438(2) Cr.P.C. and cooperate with the investigating officer. The petitioner-A.11 shall also attend before the Station

House Officer, III Town Police Station, Eluru, West Godavari District, on every Sunday between 9-00 a.m. and 10-00 a.m. till filing of the charge sheet.

8. Accordingly, the Criminal Petition is allowed.

ASSISTANT REGISTRAR

//TRUE COPY//

For ASSISTANT REGISTRAR

To

1. The Station House officer, III Town Police Station, Eluru, West Godavari District.
2. Two CCs to Public Prosecutor, (AP), High Court of Judicature, at Hyderabad (OUT)
3. One CC to M/s Pillix Law Firm, Advocate (OPUC)
4. One Spare Copy



HIGH COURT

AB
DRAFTED ON 15-12-2017

DR.SA,J

DATE: 14-12-2017



ORDER

CRL.P. NO. 11949 OF 2017

DIRECTION