

THE HON'BLE DR. JUSTICE SHAMEEM AKTHER

CRIMINAL PETITION No.12233 OF 2017

ORDER:

This petition is filed under Section 438 Cr.P.C. to grant anticipatory bail to the petitioner-A2 for the offences alleged under Sections 409, 420, 468 and 471 IPC.

2. Heard learned counsel for the petitioner-A2, learned Additional Public Prosecutor representing the State and perused the record.

3. Learned counsel for the petitioner-A2 would submit that the petitioner-A2 left D.T.O. Warangal long back and started working at Hyderabad. The petitioner-A2 has nothing to do with the alleged mis-appropriation of the accounts involved in this case. The petitioner-A2 is an innocent person and falsely implicated in this case and ultimately, prayed to allow the application.

4. On the other hand, learned Additional Public Prosecutor opposed the grant of bail to the petitioner-A2.

5. The material on record reveals that an amount of Rs.21,84,286/- was diverted from the pensioners accounts by the petitioner-A2 and A1. Thereafter, the amounts were shared among petitioner-A2, A1 and A3 by utilizing the ATM cards of the pensioners without their knowledge. It is also on record that the petitioner-A2 gave password to A1, who is working as Senior Assistant in District Treasury Office, Warangal. Thereafter, fake arrears were credited to the accounts of some pensioners, the said amounts were withdrawn by A3, money lender, using the ATM cards of petitioners. There are specific and grave

allegations of diverting public money into the accounts of the pensioners by A1 using the pass word given by petitioner-A2 in order to utilize those amounts for the personal gain/benefit of the petitioner-A2 and other accused. It cannot be said that there is no element of cheating or dishonest intention on the part of the petitioner-A2 in giving his password to A1 by name G.Umamaaheshwar. The matter requires thorough investigation. A1 is still absconding. It cannot be said that the petitioner-A2 is an innocent person and he has nothing to do with the alleged offence. The petitioner-A2 is not entitled for bail under Section 438 Cr.P.C.

6. Accordingly, the Criminal Petition is dismissed.

DATED: 18-12-2017
Hsd

DR.SHAMEEM AKTHER, J

