

**HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH**

MONDAY, THE NINETEENTH DAY OF FEBRUARY,
TWO THOUSAND AND EIGHTEEN
: PRESENT:

THE HON'BLE SMT JUSTICE **T.RAJANI**

CRIMINAL PETITION No. 1625 of 2018

Between:

1. N.Venkateswara Rao, S/o. Late Ramachandraiah
2. V.Mohanlal, S/o. Laxman

Petitioners
(Accused in Cr.No.20/2011
of PS, CID, Hyderabad)

AND

State of Telangana, rep. by its Public Prosecutor, High Court of Judicature for the State of Telangana and the State of Andhra Pradesh.

Respondent

Petition under Section 438 of Cr.P.C. praying that in the circumstances stated in the grounds filed therein, the High Court may be pleased to enlarge the petitioners on bail in the event of their arrest in Crime No. 20/2011 dated. 03-05-2011 PS, CID, Hyderabad.

The Petition coming on for hearing, upon perusing the petition and the grounds filed herein and upon hearing the arguments of Sri K.Rama Subba Rao, Advocate for the Petitioners and of the Public Prosecutor (TG) for the Respondent, the Court made the following

ORDER:

“ This Criminal Petition is filed seeking for grant of anticipatory bail to the petitioners, who are accused, in Crime No.20 of 2011 on the file of the Station House Officer, C.I.D. Hyderabad Police Station, Hyderabad District. The offences alleged are under Sections 420, 409, 468, 471 and 477-A of I.P.C.

2. Heard the learned counsel for the petitioners, learned Public Prosecutor appearing for the respondent-State, and perused the record.

3. As per the complaint, the role of these petitioners is to verify the sanction orders passed by the Tahsildars, with regard to the payment of gratuity to the concerned. The allegation in the said report is only that these petitioners issued certificates as “*verified and found correct*”. But, it is not as if these personnel are the final authorities in sanctioning the amounts. It is further submitted that the file relating to payment of gratuity moves from State Audit Office to District Treasury Office. Learned counsel further brings to the notice of this Court that the petitioners herein got retired from service long back. Hence, prima facie it cannot be said that these petitioners played any role in the above manipulations and the alleged fraud.

4. Hence, considering the above, this Court opines that this is a fit case for grant of anticipatory bail to the petitioners/accused. Accordingly, the Criminal Petition is allowed. The petitioners/accused are directed to surrender before the Station House Officer, C.I.D. Hyderabad Police Station, Hyderabad District, within 15 days from the date of this order. On such surrender, the petitioners/accused shall be released on bail on each of them executing a personal bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties for a like sum each to the satisfaction of the said Station House Officer. Further, on such release, the petitioners/accused shall abide by the conditions mentioned under Section 438(2) Cr.P.C., as under:

- 1) The petitioners shall make themselves available for interrogation by a police officer as and when required;

..2..

2) The petitioners shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any police officer; and

3) The petitioners shall not leave India without the previous permission of the Court.

As a sequel, the miscellaneous applications, if any pending, shall stand closed.”

ASSISTANT REGISTRAR

// TRUE COPY //

for ASSISTANT REGISTRAR

To

1. The Judicial First Class Magistrate Court at Mahaboobnagar.
2. The SHO, Police Station, CID, Hyderabad.
3. Two CCs to the Public Prosecutor (TG), High Court, Hyd(OUT)
4. One CC to Sri K.Rama Subba Rao, Advocate(OPUC)
5. One spare copy.

SAH



HIGH COURT

TRJ

DATED: 19-02-2018

ORDER

CRL.P.NO. 1625 OF 2018



ANTICIPATORY BAIL

DRAFTED BY: SAH
APPROVED BY:
DRAFTED ON: 21-02-2018

HIGH COURT

TRJ



DATED: 19-02-2018

ORDER

CRL.P.NO. 1625 OF 2018

ANTICIPATORY BAIL