

THE HON'BLE DR.JUSTICE SHAMEEM AKTHER

CRIMINAL PETITION No.120 OF 2019

ORDER:

This Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973, is filed by the petitioner/accused, for grant of anticipatory bail in Crime No.618 of 2018 of Hayathnagar Police Station, Rachakonda, registered for the offences punishable under Sections 420 and 409 of IPC.

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

3. Learned counsel for the petitioner/accused would contend that the petitioner/accused did not issue any fake bills; that he issued correct bills to the Service connection No.6253 04387 and that there is no discrepancy in the bills generated by him and the amount collected towards electricity consumption charges. He further contended that all the allegations made against the petitioner/accused are oral and false and ultimately prayed to allow the petition.

4. Learned Additional Public Prosecutor representing the respondent/State opposed the grant of bail to the petitioner/accused and ultimately, prayed to dismiss the petition.

5. As per the material placed on record, the petitioner/accused-D.Sreenu is working as Artisan Grade-II, ID.No.RRE04361 and he dishonestly indulged and misused his official position and cheated Sri Narsaram, who is the tenant of premises bearing Sy.No.152, Hayathnagar having Service No.6253-04387. Further, it is evident

from the record that he issued two bills every month, one is fictitious and another is original during the period from June 2015 to July 2018. The fictitious bills were for an amount of Rs.9,89,104/- and the genuine bills were for an amount of Rs.6,45,222/-. The petitioner collected Rs.9,72,591/- from the consumer. Admittedly, only an amount of Rs.6,45,222/- has to be paid to the electricity board. The petitioner misused an amount of Rs.3,43,922/- in total. Thus, he cheated the consumer having service connection No.6253-04387 (Sri Narasaram).

6. There is *prima facie* record to substantiate the above specific and grave allegations constituting the offences under Sections 420 and 409 of IPC against the petitioner/accused. The amount involved is huge. Hence, it is not a fit case to allow the petition under Section 438 Cr.P.C.

7. In the result, the Criminal Petition is dismissed.

Date: 28.01.2019
ssp

DR. SHAMEEM AKTHER, J