

THE HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

CRIMINAL PETITION NO.2569 OF 2019

ORDER:

The petitioner-accused filed this Criminal Petition under Section 438 of the Code of Criminal Procedure seeking anticipatory bail in Crime No.302 of 2018 dated 13.11.2018 on the file of P.S. Halia (Alwal), Nalgonda District, for the offences under Sections 409 and 420 of the Indian Penal Code.

It has been contended by the petitioner that he is working as Branch Manager in State Bank of India and while he was discharging his duties, it has been alleged that he has disbursed certain loans to the beneficiaries which resulted in a loss of Rs.63,25,350/- to the bank. The *de facto* complainant-bank had filed case against the petitioner and the petitioner was falsely implicated in the said case. The petitioner further submits that earlier he had filed application seeking anticipatory bail in CrI.M.P.No.1191 of 2018 which was dismissed by the VIII Additional Sessions Judge at Miryalaguda vide orders dated 15.12.2018. Thereafter, he filed CrI.P.No.13904 of 2018 before this Court seeking anticipatory bail which was also dismissed on merits by orders dated 31.12.2018. The petitioner submits that he is suffering from severe health problems and the case of the petitioner be considered for grant of anticipatory bail subject to any conditions imposed by this Court. The petitioner is a law-abiding citizen and if he is granted anticipatory bail, he is willing to co-operate with the investigating authorities as and when required.

Learned Public Prosecutor contended that since large scale financial irregularities have been levelled against the petitioner and

he has committed fraud on the bank, the petitioner do not deserve any sympathy and he cannot be granted anticipatory bail.

This Court, having considered the rival submissions made by the parties and as rightly pointed out by the learned Public Prosecutor that the petitioner is involved in large scale financial irregularities thereby violating the procedures of the bank, is of the considered view that it is not a fit case for grant of anticipatory bail to the petitioner. However, the petitioner can surrender before the Court concerned within ten days from the date of this order and seek regular bail. On such surrender, the concerned Court is directed to consider the bail application of the petitioner on merits and in accordance with law, on the same day of filing of such application.

With the above observations, the Criminal Petition is disposed of. Miscellaneous petitions, if any, pending shall stand closed.

(ABHINAND KUMAR SHAVILI, J)

8th May 2019
RRB