

HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

**TUESDAY, THE FOURTH DAY OF JUNE TWO THOUSAND AND
NINETEEN**

:PRESENT:

THE HONOURABLE JUSTICE G SRI DEVI

CRIMINAL PETITION NO: 2735 OF 2019



Between:

Vivekananda Bejjawar, S/o. Shiva Kumar,

Petitioner/Accused No.2

AND

The State of Telangana, through Station House Officer, P.S., Adilabad I Town, Adilabad District, Rep. by its Public Prosecutor, High Court of Judicature at Hyderabad.

Respondent/Complainant

Petition under Section 438 of Cr.P.C, praying that in the circumstances stated in the grounds filed in the Criminal Petition, the High Court may be pleased to direct the S.H.O., P.S., Adilabad Town, Adilabad District or any other arresting officer to enlarge the Petitioner/Accused No.2 on bail in the event of his arrest in connection with the Cr.No. 21 of 2019 of the Police, P.S., Adilabad I Town, Adilabad

Counsel for the Petitioner : SRI S SURENDER REDDY

Counsel for the Respondent: PUBLIC PROSECUTOR

ORDER

ORDER:

This Criminal Petition under Section 438 of Cr.P.C. is filed by the petitioner/A.2 in Crime No.21 of 2019 of Adilabad I Town Police Station, Adilabad District, seeking anticipatory bail.

Heard learned counsel for the petitioner/A.2 and the learned Additional Public Prosecutor appearing for the respondent State. Perused the material on record.

It is contended by the learned counsel for the petitioner/A.2 that there are no specific allegations of cheating and criminal breach of trust made against the petitioner and the entire allegations are made against A.1 only. It is contended that in the absence of any such allegations made against the petitioner/A.2, it cannot be said that the petitioner is involved in the alleged crime. It is further contended that when the petitioner came to know about the alleged fraud, he made a representation to the superiors of the Bank of India and requested them to settle the loan amount by deducting the fraud amount, which was misappropriated by A.1 and the Assistant Manager of the said Bank. In spite of the said representation, the Zonal Manager of the Bank published the house sale notice in the Newspaper

on 23.01.2019 and the petitioner challenged the same before the Debts Recovery Tribunal-I at Hyderabad, and the Hon'ble Tribunal was pleased to grant interim stay of confirmation of the auction sale notice vide order dt.21.02.2019 in S.A.No.57 of 2019. It is also contended that the Bank officials are also initiating civil proceedings against the petitioner and the allegations made in the complaint are all civil in nature. It is also contended that most part of investigation has already been completed and only a formal charge sheet is to be filed in the above crime.

On the other hand, the learned Additional Public Prosecutor opposed the relief sought in the above petition.

In the facts and circumstances, I am inclined to grant anticipatory bail to the petitioner/A.2 by imposing some conditions.

In the result, the criminal petition is allowed and the petitioner/A.2 is directed to be released on bail in the event of his arrest in connection with Crime No.21 of 2019 of Adilabad I Town Police Station, Adilabad District, on his executing a personal bond for Rs.10,000/- (Rupees ten thousand only) with two local sureties for a like sum each to the satisfaction of the Station House Officer, I Town Police Station, Adilabad, Adilabad District, and subject to the condition that the petitioner/A.2 shall cooperate with the investigation and shall report before the above Police Station, on every alternative

day between 10-00 a.m. and 5-00 p.m. till completion of investigation and filing of charge sheet.

As a sequel, miscellaneous petitions pending, if any, shall stand closed.

SD/- N.CHANDRA SEKHAR RAO
ASSISTANT REGISTRAR

//TRUE COPY//

For ASSISTANT REGISTRAR

To,

1. The Station House Officer, P.S., Adilabad I Town, Adilabad District,
2. One CC to SRI. S SURENDER REDDY Advocate [OPUC]
3. Two CCs to PUBLIC PROSECUTOR, High Court at Hyderabad. [OUT]
4. One Spare Copy

GR

HIGH COURT

GSDJ

DATED:04/06/2019

ORDER

CRLP.No.2735 of 2019

BAIL

