

HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION NO. 2869 of 2019

ORDER :

1. The petitioner, who is accused No.1, filed the present application under Section 438 Cr.P.C. seeking release in the event of his arrest in connection with Crime No.160 of 2019 of Bowenpalli Police Station, Hyderabad, registered for the offences punishable under Sections 419, 420, 406, 468, 471 and 120 B read with Section 34 IPC.

2. The case of the prosecution is that the Health Officer in GHMC, Kukatpally Circle made a complaint to the effect that he came to know that accused Nos.2 and 3, who are working in Sanathnagar of Bowenpally ward, Kukatpally Circle, are capturing bio-metric attendance of eight workers in their absence with synthetic finger prints and claiming the salaries illegally, thereby causing loss to GHMC. Accused No.2 was transferred to the present working place and accused No.3 is continuing in the same place and all the persons whose bio-metrics were obtained are the family members of the present petitioner/ accused No.1 and accordingly he requested to take action. Basing on the said allegations a case in Crime No.160 of 2019 was registered for the offences punishable under Sections 406, 419, 420, 468, 471 and 120 (B) IPC.

3. Heard learned counsel for the petitioner and learned Additional Public Prosecutor.

4. It is submitted by the learned counsel for the petitioner that neither the petitioner nor his family members have nothing to do with the allegations made in the complaint. The petitioner is working in GHMC and he is the President of the employees union of GHMC - out sourcing and in respect of any issue concerning the out sourcing employees, he being the President of the Association takes up the mantle with the GHMC authorities for settlement. As such, there is constant skirmish between the petitioner and the GHMC authorities. They developed grudge against the petitioner and accordingly he has been falsely implicated in the present case. It is further submitted that accused Nos.2 and 3 have already been released on regular bail, there are no specific allegations against the petitioner except saying that his family members are involved in the cheating and breach of trust and that their bio-metric details have been obtained.

5. Learned Additional Public Prosecutor opposed the application and stated that the mother, father and other family members of the petitioner have been shown as the workers and accordingly the amounts were transferred to their accounts and the petitioner is seriously involved in the present crime. Hence, he is not entitled for anticipatory bail.

6. Looking into the nature of allegations leveled against the petitioner and the gravity of the offences, I am not inclined to consider the request of the petitioner for grant of anticipatory bail. However, if he surrenders before the Court concerned and moves an application for bail, the same shall be considered, in accordance with law, on the same day.

7. Accordingly, the Criminal Petition is disposed of.

JUSTICE G. SRI DEVI

20.06.2019
vhb



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Date: 20.06.2019

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