

HON'BLE JUSTICE G. SRI DEVI

CRIMINAL PETITION No.5952 of 2019

ORDER :

This Criminal Petition under Section 438 of Cr.P.C. is filed by the petitioner/A1, seeking anticipatory bail in Crime No.299 of 2019 on the file of the S.H.O. Nacharam Police Station, Rachakonda District, registered for the offences punishable under Sections 408 and 420 r/w 34 IPC.

2. Heard learned counsel for the petitioner as well as the learned Additional Public Prosecutor appearing for respondent-State.

3. Learned counsel for the petitioner contends that the allegations leveled against the petitioner are false and baseless. The petitioner is an innocent person and falsely implicated in this case at the instance of the de facto complainant. He further submits that if the allegations in the complaint are looked into, no specific allegations are attributed against the petitioner except making bald allegations that the Employees of de facto complainant's company mismanaged the stocks worth Rs.23 lakhs with an intention to cheat the company. This allegation is absolutely false and created for the purpose of foisting this case against the petitioner with a view to harass him. In the entire complaint, there is no allegation that he is the

employee of the company and mismanaged the stock and caused loss to the company and in the absence of such allegations, the offences alleged against the petitioner are baseless and contrary to the allegations made in the complaint. A2 was already arrested and remanded to judicial custody on 24.07.2019 and later he was enlarged on bail on 14.08.2019. A4 and A5 were also enlarged on bail on 14.08.2019. The petitioner is ready to abide by the conditions imposed by this Court.

4. On the other hand, the learned Additional Public Prosecutor representing the State vehemently opposed the bail application.

5. As seen from the contents of the complaint, it is clear that the present petitioner is the main culprit and played active role in the commission of the alleged offences, thereby causing loss of about Rs.23 lakhs to his employer along with A2 to A5. A2 to A4 are remanded to judicial custody on 25.07.2019. The investigation in this case is still in progress.

6. Taking into consideration the nature of allegations and the involvement of the present petitioner, I am not inclined to grant anticipatory bail to the petitioner.

7. Accordingly, the Criminal Petition is dismissed. However, the petitioner-A1 shall surrender before the

concerned Court within 3 weeks from today and move bail application and the same shall be considered in accordance with law. Miscellaneous petitions, if any pending, shall stand closed.

JUSTICE G. SRI DEVI

DATED: 27.09.2019.

Hsd



