

HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION NO.8715 OF 2019

ORDER:

This Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973 (Cr.P.C.), is filed by the petitioner/accused, for grant of anticipatory bail in Crime No.260 of 2019 of P.S. Jadcherla, Mahabubnagar District, registered for the offences punishable under Sections 406, 409 and 420 of the Indian Penal Code.

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

In the FIR, it is *inter alia* stated that while the petitioner/accused has been working as Junior Assistant in Gram Panchayat Office, Jadcherla, an enquiry has been initiated against him and the Enquiry Officer i.e. Divisional Panchayat Officer has stated that the accused has misappropriated a sum of Rs.22,04,129/-, that the petitioner allegedly collected taxes from the public and did not remit the same and thus, he committed criminal breach of trust.

Learned counsel for the petitioner/accused would submit that the petitioner/accused never committed any offence as alleged by the police and the allegations made are not true and made only to harass him. It is further submitted that the petitioner/accused is a law abiding citizen and having good reputation in the society. It is further submitted that he would co-operate during the investigation that may be conducted by the police in the matter and he would not attempt to tamper any witness or evidence and

he would abide by the conditions that may be imposed by this Court. Hence, he prayed to grant anticipatory bail to the petitioner/accused.

Learned Additional Public Prosecutor representing the respondent-State opposed to grant anticipatory bail to the petitioner/accused.

As seen from the contents of the F.I.R., there are specific allegations against the petitioner/accused that he misappropriated the public money to the tune of Rs.22,04,129/- by way of collecting taxes.

Having regard to the facts and circumstances of the case, nature and gravity of the offence, this Court is not inclined to grant anticipatory bail to the petitioner/accused.

The Criminal Petition is, accordingly, dismissed. However, if the petitioner/accused surrenders before the competent Court within a period of fifteen days from today and apply for regular bail, the same shall be considered by the said Court, in accordance with law.

Miscellaneous applications, if any, pending shall stand dismissed.

(G. SRI DEVI, J)

8th January 2020
RRB