

THE HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

CRIMINAL PETITION NO.7727 OF 2021

ORDER:-

This petition is filed under Section 438 of the Code of Criminal Procedure, 1973 (for short "Cr.P.C.") seeking pre-arrest bail to the petitioner/A.1 in the event of his arrest in connection with Crime No.358 of 2021 of Khammam Rural Police Station, Khammam District, registered for the offences punishable under Sections 420, 406 and 409 of the Indian Penal Code, 1860 (for short 'IPC').

2. The case of prosecution is that a report was lodged by the Deputy Tahsildar, Civil Supplies, Khammam Rural, stating that the Government of Telangana issued G.O.Ms.No.9 Consumer Affairs, Food and Civil Supplies Department (CS-I), dated 10.10.2020, for procurement of paddy for minimum price at Paddy Procuring Center (PPC) and PPCs were established at Theerthala and Venkatagiri in the limits of Yedulapuram Primary Agricultural Society (PAC). Gajjela Shekar and Malla Venkateshwarlu were given incharge of the Theerthala and Venkatagiri PPCs respectively. The petitioner is the president and A.2 is CEO and A.3 and A.4 are employees of PACs and who are in charge of PPC Theerthala and Venkatagiri and some of the accused were rice mill owners and remaining are farmers. The petitioner and the employees of PACs in collusion with the rice millers by creating fake truck sheets, without sending 5299 quintals of paddy to the rice mills physically,

drawn an amount of Rs.1,00,05,645/- and misused the public funds by violating the G.O.Ms.No.9. Basing on the said report, the present crime is registered.

3. Heard Mr.P. Prabhakar Reddy, learned counsel for the petitioner, and learned Assistant Public Prosecutor for the respondent-State.

4. Learned counsel for the petitioner submits that even as per the complaint dated 20.09.2021 all the amounts deposited in four accounts of the farmers. He submits that basing on the confession of A.8, the petitioner has been implicated falsely in this case as A.1. He further submits that some of the accused were granted pre-arrest bail. He submits that the petitioner is ready to cooperate with the investigation, hence, his case may be considered for grant of pre-arrest bail.

5. On the other hand, learned Assistant Public Prosecutor did not dispute about the granting of pre-arrest bail to some of the accused and some of the accused were also granted regular bail in this crime.

6. Taking into consideration of the fact that some of the accused were granted bail, this Court deems it appropriate to grant pre-arrest bail to the petitioner/A.1.

7. Accordingly, the Criminal Petition is allowed. The petitioner/A.1 shall be released on bail in the event of his arrest in connection with Crime No.358 of 2021 of Khammam Rural Police Station, Khammam District, on condition of executing a self bond for Rs.20,000/- (Rupees

twenty thousand only) with two sureties for a like sum each to the satisfaction of the Station House Officer, Khammam Rural Police Station, Khammam District. On such release, the petitioner/A.1 shall cooperate with the investigation.

Consequently, miscellaneous applications pending, if any, shall stand closed.

LALITHA KANNEGANTI, J

Date :23.11.2021

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THE HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

Allowed
anticipatory

CRIMINAL PETITION No. 4767 of 2021

01.09.2021

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