

THE HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

CRIMINAL PETITION NO.8635 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.26 in the event of his arrest in connection with Crime No.118 of 2015 of Nalgonda II Town Police Station, Nalgonda District, registered for the offences punishable under Sections 406, 409, 420 and 380 of the Indian Penal Code, 1860 (for short 'IPC').

2. It is the case of the prosecution that on 02.02.2015, the General Audit Department, Hyderabad, visited Municipal Office, for auditing the records for the year 2012-2013 and they verified all the records and found that A.1 misappropriated an amount of Rs.4,68,174/- and A.2 misappropriated an amount of Rs.10,39,147/- towards water bills and they issued memo to A.1 and A.2 to repay the said amounts. Thereafter, A.1 and A.2 paid the said amounts to the account of Municipality and both of them were suspended from duties. As per the instructions of D.M.A. & District Collector, on 27.04.2015, the Special Audit, Nalgonda, held audit of the records of Nalgonda Municipality for the financial years 2011-12 to 2014-15. During the audit, they found that all the bill collectors, revenue officer and incharge revenue inspector and IDRO misappropriated an amount of Rs.1.53 crores from 2011 to 2015 and property tax demand errors worth Rs.3,39,51,663/-. Basing on the said complaint, a case in Crime No.118 of 2015 has been registered.

3. Heard Mr.T. Pradeep, learned counsel for the petitioner, and learned Assistant Public Prosecutor for the respondent-State.

4. Learned counsel for the petitioner submits that this Court granted bail to A.4, A.7, A.15, A.5 and A.25, vide CrI.P.Nos.7705, 7190, 7381, 7676 and 7791 of 2021 respectively, vide order dated 01.11.2021. He submits that the petitioner stands on similar footing to those of co-accused, who have already been granted bail by this Court. Hence, his case may be considered for grant of pre-arrest bail.

5. Learned Assistant Public Prosecutor do not dispute the fact of granting bail to the other accused in this crime.

6. Accordingly, this Criminal Petition is allowed. The petitioner shall be released on bail in the event of his arrest in connection with Crime No.118 of 2015 of Nalgonda II Town Police Station, Nalgonda 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, Nalgonda II Town Police Station, Nalgonda District.

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

LALITHA KANNEGANTI, J

Date :30.11.2021
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