

THE HONOURABLE SMT JUSTICE JUVVADI SRIDEVI

CRIMINAL PETITION No.4417 OF 2022

ORDER:

This Criminal 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/accused in the event of his arrest in connection with Crime No.57 of 2022 of Nellikudur, Mahabubabad District, registered for the offences punishable under Sections 409 and 420 of IPC.

2. A report was lodged by the *de facto* complainant-Assistant Superintended of Post Officers, Mahbubabad Sub-Division, stating that the petitioner has drawn an amount of Rs.3,30,000/- from Social Security Pension (SSP) and dispatched only Rs.5,000/- to the account holders and that he has used the said amount for his personal needs and cheated the Postal Department. Basing on the said report, the present crime is registered.

3. Heard Mr. Veera Babu Gandu, learned counsel for the petitioner and the learned Additional Public Prosecutor for the respondent-State.

4. Learned counsel for the petitioner submits that the incident which has occurred on 01.11.2018 was reported on 05.05.2022. He submits that the petitioner is unconnected with any of those allegations and he has not misused any of the amounts and that the superior officers bore grudge against the petitioner in view of the earlier issues and filed the present complaint only to harass the petitioner. He further submits that the petitioner had voluntarily credited amount with penal interest on 18.01.2019 knowing the fact that the excess amount has been charged on 01.11.2018 in SSP. It is submitted that departmental enquiry is going on against the petitioner and he is cooperating with the enquiry. Hence, the petitioner's case may be considered for grant of pre-arrest bail.

5. It is the case of the prosecution that in the year 2018, certain amount was withdrawn from SSP and by 18.01.2019 excess charged amount was paid along with penal interest by the petitioner and that he is cooperating with the departmental enquiry. Hence, this Court deems it appropriate to grant pre-arrest bail to the petitioner/accused.

6. Accordingly, the Criminal Petition is allowed. Petitioner/accused shall surrender before the Station House Officer, Nellikudur, Mahabubabad District, in connection with Crime No.57 of 2022 within one week from today and on such surrender and executing a personal bond for a sum of Rs.25,000/- (Rupees twenty five thousand only) with two sureties for a like sum each to the satisfaction of the said Station House Officer, he shall be released on bail. It is made clear that no further extension of time will be granted.

Miscellaneous Petitions, if any, pending, shall also stand closed.

JUVVADI SRIDEVI, J

Date: 19.05.2022
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