

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION No.5780 OF 2022****ORDER:**

This Criminal Petition is filed under Sections 437 and 439 of Code of Criminal Procedure, 1973 (for short "Cr.P.C") seeking regular bail to the petitioner who is arrayed as Accused No.7 in Crime No.RC 9(A)/2022-CBI/ACB/HYDERABAD on the file of Central Bureau of Investigation Anti Corruption Branch, Hyderabad registered for the offence punishable under Section 120 B of Indian Penal Code read with Sections 7, 8 and 12 under Section 13(2) read with Section 13(1)(a) of the PC Act.

2. Heard learned counsel for the petitioner/Accused and learned Special Public Prosecutor appearing for respondent-State. Perused the record.

3. The case of the prosecution is that Accused No.7 who was working as a police constable in Telangana State Special Police Force and was posted at Midhani to discharge his duties as a constable in the security set up of Midhani. The petitioner was arrested on 02.06.2022 on the allegation that he cooperated with the other accused who are Accused Nos.1 and 2 to divert material

illegally out of Midhani premises by receiving amounts from Accused Nos.1 and 2. As per the investigation Accused No.7 received Rs.5,000/- into his bank account and an amount of Rs.5,39,500/- was received through cash deposits from June-2020 to May, 2022 from Accused Nos.1 and 2, for which reason, the petitioner is complicit in allowing the Accused Nos.1 and 2 to smuggle out the material from Midhani and selling it illegally.

4. Learned counsel for the petitioner submits that the investigation is almost complete and the trial Court has released Accused Nos.3 to 6, 8 and 9 on bail. Accused No.8 is the Assistant Commandant and Accused No.9 is the Additional General Manager (Admn).

5. On the other hand, learned Special Public Prosecutor appearing for CBI would submit that the investigation is at crucial stage and release of this petitioner would hamper investigation as he may create hurdles in the identification of persons to whom the material was supplied.

6. Since the Accused Nos.3 to 6, 8 and 9 were already released on bail, there cannot be any apprehension that this petitioner would tamper with evidence if released on bail. In the said circumstances,

this petitioner can be granted the relief of bail subject to conditions.

7. Accordingly, the Criminal Petition is allowed and the petitioner/Accused No.7 is granted bail subject to the following conditions:

- i) The petitioner/Accused No.7 shall execute 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 Principal Special Judge for CBI Cases, Nampally at Hyderabad.
- ii) The petitioner/Accused No.7 shall appear before the Central Bureau of Investigation Anti Corruption Branch, Hyderabad on every Monday, Wednesday and Friday between 10.30 AM and 01.00 PM for a period of two (02) weeks and thereafter on every Monday for a period of six (06) weeks.
- iii) The petitioner/Accused No.7 shall abide by the other conditions stipulated in Section 437(3) of Cr.P.C.

Miscellaneous applications, pending if any, shall stand closed.

K.SURENDER, J

Date: 12.07.2022

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