

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION No.7139 OF 2022****ORDER:**

This Criminal Petition is filed under Section 438 of the Code of Criminal Procedure, 1973 seeking bail to the petitioner who is arrayed as Accused No.1 in the event of her arrest in Crime No.627 of 2022 on the file of Station House Officer, Malkajgiri Police Station, Rachakonda Commissionerate registered for the offences punishable under Sections 420 and 409 of Indian Penal Code.

2. Heard learned counsel for the petitioner/Accused No.1 and learned Assistant Public Prosecutor for the respondent-State. Perused the record.

3. The case of the prosecution is that Accused No.2 who is the husband of this petitioner and this petitioner applied for loan from Union Bank of India, Malkajgiri Branch for purchase of certain machinery. The senior branch manager of Union Bank of India, Malkajgiri Branch filed a complaint stating that the sanctioned amount was sent through RTGS to the seller of the machinery. However, the amount was taken back from the said seller of the machinery. In the said circumstances, the bank manager submits

that there are several such fraudulent borrowers causing loss to the public money.

4. Learned counsel for the petitioner submits that this petitioner who is an employee in the railway department had applied for loan as a co-applicant along with the husband and she being an employee for the purpose of security she was made as a co-applicant by her husband.

5. In the said circumstances, in view of the petitioner being a co-applicant and also a public servant, the relief of anticipatory bail can be granted to this petitioner/Accused No.1.

6. Accordingly, the Criminal Petition is allowed and the petitioner/Accused No.1 shall be enlarged on bail in the event of her arrest subject to the following conditions:

i) The petitioner/Accused No.1 is directed to surrender before the Station House Officer, Malkajgiri Police Station, Rachakonda Commissionerate within ten days from today, and on such surrender, she shall be enlarged on bail on her executing personal bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand Only) with two sureties to the like sum each, to its satisfaction.

ii) The petitioner/Accused No.1 shall appear before the investigating authorities as and when required.

iii) The petitioner/Accused No.1 shall abide by the other conditions stipulated in Section 438(2) Cr.P.C.

Miscellaneous applications, pending if any, shall stand closed.

K.SURENDER, J

Date: 17.08.2022
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