

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION No. 9067 of 2022****ORDER:**

This Criminal Petition is filed under Section 438 of the Code of Criminal procedure, 1973 seeking pre-arrest bail to the petitioner who is arrayed as Accused No.2 in the event of his arrest in Crime No.46 of 2022 on the file of Station House Officer, Srirampur Police Station, Mancherial District, registered for the offence punishable under Section 436 of Indian Penal Code.

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

3. The case against the petitioner is that he was complicit in setting fire to an office in Singareni Cooperation Central Stores Limited, Srirampur to cause destruction of evidence pertaining to defalcation of amounts of nearly Rs.40,00,000/-. The said fact of the alleged defalcation came to be known when one of the accused who is a salesman confessed to the crime. Subsequently, after the confession of the said salesman in the case related to setting fire to

the office, subsequent F.I.R. was registered against this petitioner for criminal misappropriation of amounts. The learned Sessions Judge by order dated 06.07.2022 granted the relief of anticipatory bail to the petitioner in the subsequent crime.

4. Learned Senior counsel appearing for the petitioner would submit that the outcome of the complaint regarding this criminal misappropriation is the confession of the salesman and there is absolutely no other evidence apart from the said confession. When the Court has granted the relief of anticipatory bail in the main case for criminal misappropriation and when there is no direct indulgence of the burning of the office, therefore, learned counsel for the petitioner requested to grant the relief of anticipatory bail.

5. In the above said circumstances, when there is no direct evidence regarding the involvement of this petitioner, this petitioner can be granted the relief of anticipatory bail.

6. Accordingly, the Criminal Petition is allowed and the petitioner/Accused No.2 shall be enlarged on bail in the event of his arrest subject to the following conditions:

- i) The petitioner/Accused No.2 is directed to surrender before the Station House Officer, Srirampur Police Station, Mancherial District, within ten (10) days from today, and on such surrender, he shall be enlarged on bail on his executing personal bond for a sum of Rs.50,000/- (Rupees Fifty Thousand Only) with two sureties to the like sum each, to its satisfaction.
- ii) On such release, the petitioner/Accused No.2 shall appear before the concerned Station House Officer on every Monday between 10.30 AM and 01.00 PM for a period of eight (08) weeks and thereafter as and when required for the purpose of investigation.
- iii) The petitioner/Accused No.2 shall abide by the other conditions stipulated in Section 438(2) Cr.P.C.

Miscellaneous applications, if any, pending shall stand closed.

K.SURENDER, J

Date: 21.10.2022
ns/rev