

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION NO.9180 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/Accused, in Crime No.13/ACB-KNR/2022 on the file of ACB, Karimnagar Police Station, Karimnagar, registered for the offences punishable under Sections 7(a) of Prevention of Corruption Act, 1988 (as amended in 2018).

2. Heard learned counsel for the petitioner and learned Assistant Public Prosecutor for the respondent-State and perused the record.

3. The ACB registered a case on the basis of written complaint alleging that this petitioner who was working as Panchayat Secretary, Grade II in Asifnagar, demanded an amount of Rs.1 lakh bribe which was reduced to Rs.90,000/- which was recovered on the date of trap, for issuance of NOC to the defacto complainant for establishment of a factory in the name of ‘Sana Steels’. Accordingly, the ACB authorities arranged for a trap and the petitioner was trapped on

24.09.2022 in the office of Security Inspector, Zonal Work Shop, TSRTC, Karimnagar. The petitioner was trapped after acceptance of the bribe amount and the post trap proceedings were also drafted. He was then sent to judicial custody. As seen from the investigation and counter affidavit filed, it is submitted on behalf of ACB that a conversation in between the defacto complainant and the petitioner, was recorded and his hands when subjected to Sodium Carbonate solution test yielded positive result. In fact the Accused Officer, voluntarily confessed to have accepted the amount. Accordingly, the post trap proceedings were drafted and later the statements were also recorded.

4. Learned Additional Public Prosecutor opposes the bail application on the ground that there is *prima facie* evidence and in fact the petitioner was caught red handed while accepting bribe.

5. As seen from the post trap proceedings and also counter filed, the relevant documents were seized, statements were recorded and also witnesses examined.

6. For the said reason, since the major part of the investigation is complete, this petitioner can be granted the relief of regular bail subject to the following conditions:

- i) The petitioner/Accused shall execute personal bonds for a sum of Rs.50,000/- (Rupees fifty thousand only) with two sureties for a like sum each to the satisfaction of Special Judge for Trial of SPE and ACB Cases at Karimnagar
- ii) The petitioner/Accused, after release, shall appear before the concerned Station House Officer every Monday between 10.30 AM and 01.00 PM for a period of six weeks, for the purpose of investigation.
- iii) The petitioner/Accused shall abide by the other conditions stipulated in Section 437(3) of Cr.P.C.

7. Accordingly, the criminal petition is allowed.

Miscellaneous applications, pending if any, shall stand closed.

K.SURENDER, J

Date: 31.10.2022
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Dt.31.10.2022

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