

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION No. 9434 of 2022****O R D E R:**

This Criminal Petition is filed under Section 438 of the Code of Criminal procedure, 1973 seeking pre-arrest bail to the Petitioner/Accused 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 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 for criminal misappropriation of amounts.

4. Learned counsel appearing for the petitioner would submit this Court by Order dated 21.10.2022 has granted anticipatory bail to the Accused namely Napolian. Even according to the police, except the confession of the arrested accused, there is no other evidence to suggest that this petitioner was involved in the said offence.

5. In view of the relief granted to the Accused namely Napolian and also as the basis for implication of the petitioner in crime is the confession of co-accused, this petitioner can be granted the relief of anticipatory bail.

6. Accordingly, the Criminal Petition is allowed and the petitioner/Accused shall be enlarged on bail in the event of his arrest subject to the following conditions:

i) The petitioner/Accused 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 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 shall abide by the other conditions stipulated in Section 438(2) Cr.P.C.

Miscellaneous applications, if any, pending shall stand closed.

Date: 03.11.2022
ESP

K.SURENDER, J

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No. 9434 of 2022

Dated: 03.11.2022

ESP