

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION No.9753 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.15 in the event of his arrest in Crime No.372 of 2013 on the file of Station House Officer, Devarkonda Police Station, Nalgonda District, registered for the offences punishable under Sections 409, 420 and 477 of Indian Penal Code.

2. Heard learned counsel for petitioner-Accused No.15 and learned Additional Public Prosecutor for respondent-State. Perused the record.

3. The facts of the case are that the complainant who is the Manager of Nalgonda District Central Co-operative Bank, Devarakonda Branch gave a report that the Chairman of Primary Agricultural Co-operative Society, Devarakonda had sanctioned loans to several persons by violating the rules and regulations of SAO CKSS Loan Policy and committed misappropriation of funds to an amount of Rs.5,39,07,171/-.

4. The main allegation against this petitioner is that he is one of the persons who prepared the bogus Cooperative Kisan Credit Cards in favour of ineligible and benami members of the society.

5. Learned Counsel for the petitioner submits that the petitioner is no way concerned with the sanction of the loans by the Cooperative Society in favour of ineligible farmers and it is the bank employees who sanctioned the loan in favour of ineligible persons. He further submits that the name of the petitioner has been erroneously included and nothing has been recovered from his possession to establish the accusation against the petitioner. He further submits that without verifying the said fact, the police have made the petitioner herein as accused Nos.15 in the present crime. He also submits that though the alleged crime was registered in the year 2013, the petitioner was never informed about the same, the police have arrested some of the accused and now trying to arrest this petitioner in the said crime.

6. A perusal of the material placed on record would show that in a batch of the cases, this Court had considered the cases of the accused, who were added as accused during the course of investigation and passed detailed orders released them vide

Crl.Petition Nos.2015 of 2015 and 2254 of 2015 on 20.03.2015 respectively. Since the petitioner stands on the same footing, his request can be considered on certain terms and conditions.

7. Accordingly, the Criminal Petition is allowed and the petitioner-Accused No.15 shall be enlarged on bail in the event of his arrest subject to the following conditions:

i) The petitioner-Accused No.15 is directed to surrender before the Station House Officer, Devarkonda Police Station, Nalgonda District within one week from today, and on such surrender, he shall be enlarged on bail on his 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) On such release, the petitioner-A16 shall appear before the concerned Station House Officer on every Wednesday and Saturday between 10.30 a.m. to 1.00 p.m. for a period of six (6) weeks or till filing of charge sheet whichever is earlier, for the purpose of investigation.

iii) The petitioner-A15 shall abide by the other conditions stipulated in Section 438(2) of Cr.P.C and shall co-operate with the Investigating Officer in investigating the case.

Miscellaneous applications, if any pending shall stand closed.

K.SURENDER, J

Date : 14.11.2022
ns