

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION No.9900 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.2 in the event of his arrest in Crime No.697 of 2022 on the file of Station House Officer, KPHB Police Station, Cyberabad, registered for the offences punishable under Sections 420, 406, 409, 323, 448, 504, 506, 381, 411 and 120-B of Indian Penal Code (IPC).

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

3. The case of the prosecution is that Accused No.1 who is the sister of this petitioner was working in the hospital of the *de facto* complainant. It is alleged in the complaint that over a period of time Accused No.1 has committed criminal breach of trust and misappropriated the amounts, nearly three crores. Having identified her criminal acts, she was confronted and later removed from her job. However, Accused No.1 refused to take termination letter.

Thereafter this petitioner who is her brother trespassed into the hospital, threatened the staff and insisted that her sister shall continue in the hospital.

4. On perusal of complaint, there are no allegations against this petitioner regarding cheating or criminal misappropriation. Though the learned Additional Public Prosecutor submits that some of the amounts which were misappropriated were transferred to the account of this petitioner, the transactions are subject matter of documents they can be collected from the concerned bank. The only allegation is that he trespassed into the hospital and insisted that Accused No.1 should be retained in her job.

5. In view of the aforesaid reason, the petitioner/Accused No.2 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, KPHB Police Station, Cyberabad 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.25,000/- (Rupees Twenty Five Thousand Only) with two sureties for a 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 six (06) 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: 11.11.2022
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