

THE HONOURABLE DR. JUSTICE D.NAGARJUN

CRIMINAL PETITION No.174 of 2023

O R D E R:

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.189 of 2013 on the file of Station House Officer, Gudipalli Police Station, Nalgonda District, registered for the offences punishable under Sections 409, 420, 477-A and 34 of Indian Penal Code.

02. Heard Sri T.Rajinikanth Reddy, learned counsel for petitioner/Accused No.15 and Sri T.V.Ramana Rao, learned Additional Public Prosecutor for respondent/State. Perused the record.

03. The facts of the case are that the complainant who is the Manager of District Co-operative Bank, Nalgonda, Devarakonda Branch gave a report that the misappropriation of funds to an amount of Rs.7,98,27,073/- was committed in PACS, P.A. Pally Society by producing false farmers names

and accounts. Basing on these allegations, the above report has been registered.

04. Learned counsel for the petitioner/Accused No.15 submits that the petitioner/Accused No.15 is no way concern with the PACS and in fact the petitioner/Accused No.15 is neither a member nor holding any post in PA Pally PACS. Without verifying the said fact the police have made the petitioner/Accused No.15 herein as accused No.15 in the present crime. He further submits that though the alleged crime was registered in the year 2013, the petitioner/Accused No.15 was never informed about the same, the police have arrested some of the accused and now trying to arrest the petitioner/Accused No.15 in the said crime.

05. 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 in the process of investigation and granted the relief sought for in CrI.P.No.4894 of 2014 on 24.04.2014, CrI.P.No.4892 of 2014 on 28.04.2014, CrI.P.No.6540 of 2022 on 29.07.2022 and

CrI.P.No.8752 of 2022 on 28.09.2022. Having regard to the said circumstances, the petitioner/Accused No.15 is entitled for grant of anticipatory bail.

06. 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, Gudipalli Police Station, Nalgonda District within one week from today, and on such surrender, he shall be enlarged on bail on his executing personal bonds for a sum of Rs.25,000/- (Rupees Twenty Five Thousand Only) with two sureties to the like sum each, to its satisfaction.

ii) The petitioner/Accused No.15 shall appear before the concerned Station House Officer on every Wednesday and Saturday between 10.30 AM and 01.00 PM for a period of six (06) weeks or till filing of charge sheet whoever is earlier.

iii) The petitioner/Accused No.15 shall abide by the other conditions stipulated in Section 438(2) Cr.P.C.

7. As a sequel thereto, miscellaneous applications, if any pending, shall stand closed.

DR. D.NAGARJUN, J

Date: 10-Jan-2023
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