

HON'BLE Dr. JUSTICE CHILLAKUR SUMALATHA

CRIMINAL PETITION No.2412 of 2023

ORDER:

Heard Smt K.Sujatha, learned counsel for the petitioner, as well as the learned Additional Public Prosecutor who is representing the respondent-State.

2. Seeking post-arrest bail, the present Criminal Petition is filed under Section 439 Cr.P.C on behalf of the petitioner, who is arrayed as accused No.1 in Crime No.18 of 2023 of Mamnoor Police Station, Warangal District.

3. The matrix of the case, as could be perceived through the contents of the complaint, is that the petitioner was working as Primary Principal at Birla Open Minds International School, Warangal. The petitioner collected school fee from the parents and directed those parents to transfer the said fee into her personal account without any direction from the Management of the school to that effect. Thereby, she misappropriated a sum of Rs.9,70,500/-.

4. Stating that on the directions of the Management with regard to the concession given to the parents in respect of the fee, the amounts were transferred to the account of the petitioner and thereafter, the petitioner returned those

amounts, learned counsel for the petitioner states that the petitioner was arrested on 26.02.2023 and was remanded to judicial custody. Learned counsel also submits that the petitioner is a women suffering with different kinds of ailments and she is in judicial custody since 25 days and therefore, she may be enlarged on bail.

5. On the other hand, the submission of the learned Additional Public Prosecutor is that the petitioner committed similar type of offence and a case was registered against her as Crime No.505 of 2027 of Malajgiri Police Station. Learned Additional Public Prosecutor submits that fifteen (15) witnesses were examined till now.

6. Having considered the submissions thus made and taking into consideration the fact that the material part of investigation is completed, this Court is of the view that the request of the petitioner can be honoured, however conditionally.

7. Resultantly, this Criminal Petition is allowed with the following conditions:-

- (i) The petitioner/accused No.1 shall be enlarged on bail on her executing a personal bond for

Rs.1,00,000/- (Rupees One lakh only) with two sureties for the like sum each to the satisfaction of the Court concerned. The sureties are directed to submit their two latest passport size photographs at the time of furnishing solvency. One such photograph is ordered to be pasted in the Surety Register against the name of the surety. The other photograph shall be kept in the case record concerned.

(ii) In case, the petitioner/accused No.1 holds a passport, she is directed to surrender the same, if it is not seized by now.

(iii) The petitioner/accused No.1 should not involve in any unlawful activity.

(iv) The petitioner/accused No.1 should afford all assistance for proper investigation of the case.

(v) The petitioner/accused No.1 should not cause the evidence of the offence disappear.

(vi) The petitioner/accused No.1 should not tamper with the evidence in any manner.

(vii) The petitioner/accused No.1 should not by way of inducement, threat or promise, dissuade any person who is acquainted with the facts of

the case, from disclosing such facts to the Court or to the Police Officer.

(viii) The petitioner/accused No.1 should ensure her presence whenever required by the Court or Police.

(ix) The petitioner/accused No.1 shall not leave India without previous permission of the court concerned.

(x) The petitioner/accused No.1 shall report before the Designated Women Police Officer of Mamnoor Police Station, Warangal District, on every Sunday and Thursday between 10.30 a.m. and 12.00 p.m. till filing of the final report.

(xi) The petitioner/accused No.1 shall file an affidavit before the court concerned disclosing the following particulars:-

- (1) Contact number
- (2) Mail address
- (3) Residential particulars.

In case, there is any change in the aforementioned details, the petitioner shall intimate the court concerned by giving a fresh affidavit

duly mentioning the change. She shall continue to do so till filing of the final report.

Any deviation of the above conditions would entitle the respondent to take appropriate steps for cancellation of the bail granted.

Dr. JUSTICE CHILLAKUR SUMALATHA

21.3.2023

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