

THE HONOURABLE SRI JUSTICE SAMBASIVA RAO NAIDU

CRIMINAL PETITION No.4678 OF 2023

ORDER:

This Criminal Petition is filed under Sections 437 and 439 of Code of Criminal Procedure, 1973, seeking to enlarge the petitioner/accused No.1 on bail in connection with Crime No. 4/ACB-KNR/2023 of ACB Police Station, Karimnagar District, registered for the offences punishable under Sections 7(a) & (b) & 12 of the Prevention of Corruption Act, 1988.

2. Heard learned counsel for the petitioner/accused No.1 and learned Special Public Prosecutor representing the respondent-ACB. Perused the record.

3. As per the Remand Case Diary and other material placed before the Court, the allegations against the petitioner herein are that she being working as Sub-Registrar, Peddapalli, demanded illegal gratification for effecting registration of the document of the *de facto* complainant and though the document was registered, it was kept pending for the sake of illegal gratification. The further allegation of the prosecution against the petitioner is that she demanded money from the *de facto* complainant to be paid through accused No.2.

4. Learned counsel for the petitioner submits that the petitioner did not make any such demand for effecting registration of the document. Learned counsel for the petitioner further submits that all the formalities with regard to registration of the document are completed much prior to 11.04.2023 and no official favour was pending before the petitioner, therefore, the question of demanding money by the petitioner from the *de facto* complainant does not arise.

5. Learned Special Public Prosecutor opposed the bail application on the ground that tainted cash was seized at the instance of the petitioner and accused No.2 and that the investigation is still in progress.

6. As per the Remand Report, it seems that material witnesses were examined and this Court is informed that 164 Cr.P.C. statements of the witnesses were also got recorded. As per the Remand Case Diary and other documents, major portion of the investigation was already completed by the Investigating Officer and nothing is remained except filing the charge-sheet. Therefore, the petitioner/accused No.1 is ordered to be released on bail on the following conditions:

- i) The petitioner/accused No.1 is directed to be released on bail on her executing personal bond for

a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties for like sum each, to the satisfaction of the Court concerned.

- ii) On such release, the petitioner/accused No.1 shall appear before the Investigating Officer as and when her presence is required for concluding the investigation.
- iii) In case, the petitioner/accused No.1 holds a passport, she is directed to surrender the same before the Court concerned.
- iv) The petitioner/accused No.1 shall cooperate with the Investigating Officer in investigating the case and shall not leave the country without prior permission of the Court concerned.
- v) The petitioner/accused No.1 shall file an affidavit before the Court concerned disclosing her contact number, mail address and residential particulars.
- vi) The petitioner/accused No.1 shall comply with the conditions as laid down under Section 437 (3) of Cr.P.C.

Accordingly, the Criminal Petition is allowed.

JUSTICE SAMBASIVA RAO NAIDU

18th May, 2023.

SVL/DUA

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