

THE HON'BLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No. 7221 of 2023

ORDER:

This Criminal Petition is filed under Section 438 of Cr.P.C. by petitioner/Accused No.3 seeking anticipatory bail in the event of his arrest in connection with Crime.No.30 of 2023 on the file of Mamnoor Police Station, Warangal District, registered for the offences punishable under Sections 409 and 420 r/w. 34 of Indian Penal Code (for short 'IPC').

2. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the respondent-State and perused the record.

3. The Assistant Engineer in Gupta Power Infrastructure Limited lodged a complaint stating that Aluminium Drum No.65 length 1848 mtrs, Drum No.39 length 1820 mtrs and Drum No.43 length 1890 mtrs, the project material was handed over to this petitioner and three others and the said material was found missing.

4. Learned counsel appearing for the petitioner would submit that it is case of theft which falls under Section 406 of

IPC but the case was deliberately registered under Section 409 of IPC and the petitioner is labourer.

6. Keeping in view that the material handed over was subjected to theft, the petitioner is granted anticipatory bail, subject to the following conditions:

- 1) The petitioner/Accused No.3 is directed to surrender before the Station House Officer, Mamnoor Police Station, Warangal District on 14.08.2023. Upon such surrender, the said Station House Officer shall release the petitioner/Accused No.3 on bail, on his executing personal bond for a sum of Rs.20,000/- (Rupees Twenty thousand only) with two sureties for a like sum each to his satisfaction.
- 2) On such release, the petitioner/Accused No.3 shall appear before the concerned police everyday till 21.08.2023 at 10.00 a.m. and thereafter, as and when required for the purpose of investigation.
- 3) The petitioner/Accused No.3 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.

7. Accordingly, the Criminal Petition is allowed. Miscellaneous applications, if any pending in this criminal petition, shall stand closed.

Date : 10.08.2023
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K.SURENDER, J