

THE HON'BLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION Nos. 6981 & 7046 of 2023

COMMON ORDER:

These Criminal Petitions are filed under Section 438 of Cr.P.C. by the petitioners/Accused Nos.1 and 5 seeking anticipatory bail in the event of their arrest in connection with Crime.No.110 of 2023 on the file of Khanapur Police Station, Nirmal District, registered for the offences under Sections 420 and 409 r/w. 34 of IPC.

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

3. A-1 was the Chief Executive Officer of the Primary Agricultural Co-operative Society (PACS), Khanapur. It is alleged that during November, 2015, he disbursed amounts in favour of A-2 to A-10 to an extent of Rs.16,00,000/- as loan, though there were no fixed deposits with the Society. The loans have to be advanced only in the event of fixed deposits according to the Rules.

4. Learned Additional Public Prosecutor would submit that A-1 had misappropriated the money by transferring the

amounts into the accounts of his wife and other relatives, though not eligible. Since all the documents are available with the Police and transactions pertain to the year, 2015, this Court deems it to grant anticipatory bail to the petitioners subject to the following conditions:-

- 1) The petitioner/Accused No.1 is directed to surrender before the Station House Officer, Khanapur Police Station, Nirmal District on 10.08.2023. Upon such surrender, the said Station House Officer shall release the petitioner/Accused No.1 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. Accused No.5 is also directed to execute 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.1 shall appear before the concerned police every day from 10.08.2023 till 24.08.2023 at 10.00 a.m. and thereafter, as and when required for the purpose of investigation. Accused No.5, being a lady shall appear as and when required.
- 3) The petitioners/Accused Nos.1 and 5 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.

5. Accordingly, the Criminal Petitions are allowed. Miscellaneous applications, if any pending in this criminal petition, shall stand closed.

Date : 07.08.2023
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K.SURENDER, J

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Dt.07.08.2022

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