

THE HON'BLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No.7658 of 2023

ORDER:

1. This Criminal Petition is filed under Section 438 of Cr.P.C. by the petitioner/Accused No.3 seeking anticipatory bail in the event of their arrest in connection with Crime.No.46 of 2017 on the file of Mothey Police Station, Suryapet District, registered for the offences under Sections 409, 420 read with Section 34 of the Indian Penal Code, 1860.

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

3. The petitioner arrayed as accused No.3 in Crime No.46 of 2017 is apprehending arrest on the allegation of criminal misappropriation while he was working as a Junior Clerk in Mothey Mandal office. The alleged misappropriation was in respect of constructions of toilets in Swatchabharatha Mission (Grammena) Scheme.

4. Admittedly, the case was registered in the year 2017 and accused No.1 was arrested on 10.04.2023 and released on bail. The petitioner is now apprehending the arrest, since the police have arrested accused No.1

5. The case is of (06) years old and no action appears to have been taken over the period of time. What prompted the Police to arrest accused No.1 is not mentioned in the remand report. However, keeping in view all the documents are available in the office. This Court deems it appropriate to grant relief of anticipatory bail, since the subject to the following conditions:-

- 1) The petitioner/Accused No.3 is directed to surrender before the Station House Officer, Mothey Police Station, Suryapet District, on 21.08.2023. Upon such surrender, the said Station House Officer shall release the petitioner/Accused No.3 on bail, on his executing a personal bond for a sum of Rs.25,000/- (Rupees Twenty Five 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 on Monday for period of (08) weeks 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.

6. Accordingly, the Criminal Petition is allowed.

Miscellaneous applications, if any pending in this criminal petition, shall stand closed.

Date : 17.08.2023
FM/MMR

K.SURENDER, J

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Dated 17.08.2023

