

THE HON'BLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No. 7835 of 2023

ORDER:

This Criminal Petition is filed under Section 438 of Cr.P.C. by the petitioners/accused No. 1 and 2 seeking bail in the event of his arrest in connection with Crime No.192 of 2023 dated 11.08.2023 on the file of Mustabad Police Station, Rajanna Sircilla District, registered for the offences punishable under Sections 403, 409 r/w 34 the 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 *de facto* complainant who is the District Intermediate Education Officer filed a written complaint in the Mustabad Police Station stating that these petitioners who are working as Record Assistants in the Government College were responsible for misappropriation of special fee funds of Rs.3,00,000/- from the college account.

4. Since, all the transactions are borne by record and the same can be investigated as to how the allegation misappropriation had taken place. Since there are no specific details of any record that the petitioners have misappropriated or the basis on which the complaint was filed, this Court is inclined to grant the relief sought for.

5. In the said circumstances this Court deems it appropriate to grant relief of anticipatory bail to these petitioners who are public servants as follows:-

- 1) The petitioners/accused No.1 and No.2 is directed to surrender before the Mustabad Police Station, Rajanna Sircilla District on 01.09.2023. Upon such surrender, the said Station House Officer shall release the petitioners/accused No.1 and No.2 on bail, on their executing 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 petitioners/accused No.1 and No.2 shall appear before the concerned police every day from 01.09.2023 to

11.09.2023 at 10.00 a.m. and thereafter, as and when required for the purpose of investigation.

3) The petitioners/accused No.1 and No.2 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.

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

Date : 28.08.2023
Fm/Dsv

K.SURENDER, J

THE HON'BLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No.7835 of 2023
Dt.28.08.2023

Fm/Dsv