

THE HON'BLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No.9601 of 2023

ORDER:

1. This Criminal Petition is filed under Section 438 of Cr.P.C. by the petitioner/Accused No.5 seeking bail in the event of his 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 and 420 of IPC.
2. Heard learned counsel for the petitioner and learned Assistant Public Prosecutor for the respondent-State and perused the record.
3. The petitioner at present is working as Assistant Engineer, Rural Water Scheme in the Office of Superintendent of Engineer 'S' Circle, Guntur. Earlier, while he was working in Mothey, Suryapet District, it is alleged that this petitioner was part of the accused who defalcated the amounts which were meant for construction of toilets in the area. The *modus operandi* is without there being any construction, bills were made and accordingly, payments were made.
4. Since the case is of the year, 2017 and the petitioner is now working and never absconded, he can be granted the relief of anticipatory bail, subject to the following conditions:

- 1) The petitioner/Accused No.5 is directed to surrender before the Station House Officer, Mothey Police Station, Suryapet District, on 17.10.2023. On such surrender, the said Station House Officer shall release the petitioner on bail, on his 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, petitioner/Accused No.5 shall appear before the concerned Station House Officer at 10.00 A.M on every Monday for a period of eight weeks, for the purpose of investigation and thereafter, as and when required.
- 3) The petitioner/Accused No.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, this Criminal Petition is allowed. Miscellaneous applications, if any pending in this criminal petition, shall stand closed.

K.SURENDER, J

Date : 05.10.2023
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Dt.05.10.2023

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