

THE HON'BLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No.12201 of 2023

ORDER:

This Criminal Petition is filed under Section 438 of Cr.P.C. by the petitioner/A1 seeking anticipatory bail in the event of his arrest in connection with Crime No.368 of 2023 of Nampally Police Station, Hyderabad, registered for the offences punishable under Sections 409, 427, 448, 477 and 109 r/w 34 of IPC.

2. Heard learned Senior Counsel for the petitioner/A1, learned Additional Public Prosecutor representing the respondent No.1-State and perused the record.

3. The case of the *de facto* complainant, who is the watchman of the department of Animal Husbandary, is that while he was checking the building in a routine manner, the room of the petitioner/A1, who was the OSD attached to the Minister, was found ransacked. He suspected that the petitioner/A1, who was the OSD and others had trespassed into the office and took documents from the office.

4. Learned Senior Counsel appearing for the petitioner/A1 would submit that the allegation is absurd, since the petitioner being an OSD would have entered into the office directly, if documents are required and the question of breaking open and trespassing into his own office does not arise and prayed to grant anticipatory bail to the petitioner/A1.

5. On the other hand, learned Additional Public Prosecutor would submit that information is now sought from the Chief Secretary regarding subject documents and in the subject case, four witnesses were examined.

6. From the complaint itself, it is evident that the complaint was made on the basis of suspicion of a watchman. Even according to the complaint, there is no witness to the said incident. Further, the details of alleged documents missing are also not stated. In the said circumstances, this Court deems it appropriate to grant the relief of anticipatory bail to the petitioner/A1 subject to the following conditions:

- 1) The petitioner/A1 is directed to surrender before the Station House Officer, Nampally Police Station, Hyderabad, within a period of seven days from the date of this order. On such surrender, the said Station House Officer shall release the petitioner/A1 on bail, on his executing a personal bond for a sum of Rs.50,000/- (Rupees fifty Thousand only) with two sureties for a like sum each to his satisfaction.
- 2) On such release, the petitioner/A1 shall appear before the concerned Station House Officer, on every Monday and Wednesday, for a period of four (4) weeks between 10.00 A.M. and 1.00 P.M. and thereafter, as and when required for the purpose of investigation.
- 3) The petitioner/A1 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 : 15.12.2023
ssp

K.SURENDER, J