

THE HON'BLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No.12792 OF 2023

O R D E R:

This Criminal Petition is filed under Section 438 of Code of Criminal Procedure (for short 'Cr.P.C.') by the petitioners/Accused Nos.2 to 5 seeking bail in the event of their arrest in connection with Crime No.368 of 2023 on the file of Nampally Police Station, Hyderabad, registered for the offences under Sections 409, 427, 448, 477 and 109 r/w. 34 of I.P.C.

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

3. The case of the *de-facto* complainant, who is the watchman in the Department of Animal Husbandry is that while he was checking the building in a routine manner, the room of A-1 who was the OSD attached to the Minister was found ransacked. He suspected that A-1, who was the OSD and other accused had trespassed into the office and took documents from the office.

4. Learned counsel for the petitioner would submit that the allegation is absurd since A-1 being OSD would have entered into the office directly, if documents are required and the question of

breaking open and trespassing into his own office with these petitioners does not arise and prayed to grant anticipatory bail to these petitioners.

4. 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.

5. 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 these petitioners, subject to following conditions:-

- 1) The petitioners/Accused Nos.2 to 5 is directed to surrender before the Station House Officer, Nampally Police Station, Hyderabad, on or before 18.01.2024. Upon such surrender, the said Station House Officer shall release the petitioners/Accused Nos.2 to 5 on bail, on their executing 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 petitioners/Accused Nos.2 to 5 shall appear before the concerned Station House Officer

at 10:00 a.m. every Monday and Wednesday for a period of four weeks and thereafter as and when required, for the purpose of investigation.

- 3) The petitioners/Accused Nos.2 to 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.

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

Date : 10.01.2024
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K.SURENDER, J

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Dt.10.01.2024

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