

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.15235 of 2024

ORDER:

This Criminal Petition is filed under section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of pre-arrest bail to the petitioner who is arrayed as accused in Crime No.74 of 2023 of Shabad Police Station, Cyberabad.

2. The brief facts of the case are that *de-facto* complainant loaded a report stating that he received directions from District Collector, Ranga Reddy District *vide* memo No.251 of 2023-A(pts), dated 08.02.2023, requesting him to lodge a complaint against the accused, who was working as panchayats Secretary Gr-I, GP Eliminedu, Ibrahimpatnam Mandal and working on Deputation at GP Tallapalli of Shabad Mandal of Ranga Reddy District for not remitting collected taxes an amount of Rs.4,25,831/- into GP Treasury Account. Hence, a case was registered *vide* Crime No.74 of 2023 before the Shabad Police Station, Cyberabad, for the offences punishable under Section 409 of IPC.

3. Heard Sri Kondadi Ajay, learned counsel appearing on behalf of the petitioner as well as Sri Syed Yasar Mamoon,

learned Additional Public Prosecutor appearing on behalf of the respondent.

4. Learned counsel for the petitioner *firstly* submitted that the petitioner not misutilized or misappropriated the Government funds and petitioner already deposited entire amount to the Government treasury. He *secondly* submitted that the petitioner is innocent and he is no way concerned with the alleged offences and petitioner permanent resident of Bhongir and is willing to furnish sureties as directed by the Court and prayed the Court to grant of anticipatory bail to the petitioner by allowing this criminal petition.

5. On the other hand, learned Additional Public Prosecutor opposed the submissions made by the learned counsel for the petitioner stating that the being a responsible officer collected taxes and same is not remitted to the Government, which is serious illegality and he is already in suspension and also the investigation is not yet completed, therefore, granting bail to the petitioner, at this stage, does not arise. Hence, he prayed the Court to dismiss the criminal petition.

6. After considering submissions from both the parties and material available on record, it appears that petitioner is worked as Sarpanch for the Thallapalli Village though he

collected an amount of Rs.4,25,831/- from villagers towards taxes and the same was utilized for village development works and the petitioner paid said amount by way of challan. It is pertinent to note that material part of the investigation is also completed. Therefore, considering the facts and circumstances of the case, this Court is of the considered view that it is a fit case for granting of anticipatory bail to the petitioner.

7. Accordingly, this petition is allowed granting anticipatory bail to the petitioner subject to the following conditions:

- i. The petitioner shall surrender before the Station House Officer of P.S.Shabad, Cyberabad within two weeks from today, and on such surrender, the said Station House Officer shall release him on bail on executing a personal bond for Rs.25,000/- with two sureties, for the like sum each.
- ii. The petitioner shall appear before the concerned Station House Officer on every Monday between 9:00 A.M. to

5:00 P.M., for a period of eight (08) weeks or till filing of charge sheet whichever is earlier.

- iii. The petitioner shall abide by the other conditions stipulated in Section 482(2) of Bharatiya Nagarik Suraksha Sanhita, 2023.

7. Accordingly, the Criminal petition is allowed.

Miscellaneous applications, if any pending, shall stand closed.

K. SUJANA, J

Date: 26.12.2024

gv

THE HONOURABLE SMT JUSTICE K. SUJANA

CRIMINAL PETITION No.15235 of 2024

Date: 26.12.2024

gv