

THE HONOURABLE SRI JUSTICE J. SREENIVAS RAO

CRIMINAL PETITION No.5973 of 2025

ORDER:

This Criminal Petition is filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhitha, 2023 (for short 'BNSS') seeking anticipatory bail to the petitioner/accused in Crime No.55 of 2025 on the file of the Police Station Nennel, Ramagundam, registered for the offences punishable under Sections 406, 409 and 420 of Indian Penal Code (for short 'the I.P.C.').

2. The case of prosecution is that on 19.04.2025 at 16:00 hrs the de-facto complainant lodged a complaint against the petitioner/accused in Mancherla Police Station stating that the Government has issued guidelines for procurement of paddy and rice to ensure MSP to the farmers for the seasons of Rabi-2022-2023, Kharif 2023-24 and Rabi 2023-24. The Civil Supplies Corporation, Mancherla has procured paddy from the farmers with MSP through Procuring Agencies lead by PD DRDA, DCO and DCMS. The procured paddy has shifted to the designated Rice millers of Mancherla District as per the allocation of Collector for delivery of CMR. Accordingly a total quantity of 5098.928 Mts paddy has been dispatched to M/s. Sri lakshmi Srinivasa Industries-Nandulapally-Nennel Mandal. As against the paddy

delivered, the miller has to deliver 3413.351 Mts of CMR, but till date he has delivered only 748.00 Mts of CMT Khariff 2023-24 to Civil Supplies Corporation/FCI Mancherial leaving balance of 2665.531 Mts and 50.000 Mts of Rabi 2022-23 auction paddy lifted by the bidder. The miller has not turned positively even after several instruction and issue of notices. Therefore, there is a misappropriation of paddy. Basing on the said complaint, the aforesaid Crime was registered against the petitioner/accused for the aforesaid offences.

3. Heard Ms. V.Sanjana, learned counsel for the petitioner and Mr. Vivekananda Reddy, learned Assistant Public Prosecutor for the respondent.

4. Learned counsel for the petitioner submitted that petitioner has not committed the alleged offence and he was falsely implicated in the above crime and that the ingredients of Sections 406, 409 and 420 of IPC are not attracted against the petitioner. He further submitted that petitioner is a Government employee and he is not having any other criminal antecedents and he is ready and willing to cooperate with the investigation and also abide by the conditions, which are going to be imposed by this Court, and hence, prayed for grant of anticipatory bail.

5. *Per contra*, the learned Assistant Public Prosecutor submitted that the petitioner has committed a grave offence and the investigation is

under progress and at this stage, if the petitioner is enlarged on anticipatory bail, there is every chance to interfere with the investigation and also influence the witnesses. Hence, prayed to dismiss the petition.

6. Having considered the rival submissions made by respective parties and after perusal of the material available on record, it reveals that the de-facto complainant lodged a complaint on 19.04.2025 stating that the petitioner has failed to deliver rice within the prescribed time and has misappropriated Government stocks and violated the agreement. According to the petitioner, there are no specific allegations against him. According to the learned Assistant Public Prosecutor, the petitioner is not having any criminal antecedents so far.

7. Taking into consideration the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner/accused subject to the following conditions:

1. The petitioner/accused shall surrender before the Station House Officer of Police Station Nennel, Ramagundam on or before 13.05.2025, and on such surrender, the said Station House Officer shall release the petitioner/accused on bail on his executing a personal bond for Rs.1,00,000/- (Rupees one lakh only) with two sureties, for the like sum each.
2. After release, the petitioner/accused shall appear before the concerned SHO at 11.00 A.M. on every Monday and Saturday, for a period of eight (8) weeks or till filing of

charge sheet whichever is earlier, for the purpose of investigation and thereafter, as and when required.

3. After release, the petitioner/accused shall not influence any of the prosecution witnesses in any manner and to contact the victim and her family.
4. The petitioner/accused shall abide by the other conditions stipulated in Section 482 (2) of the BNSS and co-operate with the Investigating Officer in investigating the case.
8. Accordingly, the Criminal Petition is allowed.

Miscellaneous applications, pending if any, shall stand closed.

JUSTICE J.SREENIVAS RAO

Date: 07.05.2025

vsu