

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.10244 OF 2025

ORDER:

This Criminal Petition is filed under section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 for granting of pre-arrest bail to the petitioner/accused No.1 in Crime No.39 of 2025 of Lingapur Police Station, Kumarambheem Asisfabad District.

2. The case of the prosecution is that the *de-facto* complainant lodged a complaint before the police on 23.05.2025, stating that the petitioner herein was working as Branch Post Master at the Mamidipalli Branch Post Office. Upon receiving information that the petitioner was absent without authorization, the *de-facto* complainant conducted an investigation, and during the enquiry, it was revealed that the petitioner had withdrawn Rs.35,400/-. Subsequently, the petitioner/Accused No.1 deposited the entire amount, including interest, on 12.09.2024. Based on the said complaint, a case was registered *vide* Crime No.39 of 2025 before the Lingapur Police, for the offences punishable under Sections 409, 420 and 468 of the Indian Penal Code, 1860.

3. Heard Sri Alluri Divakar Reddy, learned counsel appearing on behalf of the petitioner and Sri Syed Yasar Mamoon, learned Additional Public Prosecutor for respondent State. Perused the material available on record.

4. Learned counsel for the petitioner submits that the petitioner has already deposited the said amount and did not utilize the amount intentionally. He further submitted that part of the investigation has been completed and the departmental inquiry has also been concluded. Hence, he prayed the Court to grant anticipatory bail to the petitioner.

5. On the other hand, the learned Additional Public Prosecutor opposed the submissions made by the learned counsel for the petitioner stating that as the petitioner is a public servant, custodial interrogation is necessary. He further submitted that the petitioner, being a public servant, ought not to have used the said amount. Hence, he prayed the Court to dismiss the Criminal Petition.

6. Having regard to the submissions made by both the parties and a perusal of the material placed on records, it appears that the petitioner deposited the said misappropriated amount. In these circumstances, the petitioner is granted pre-arrest bail, subject to the following conditions:

- i. The petitioner shall surrender before the Station House Officer, Lingapur Police Station, 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 abide by the other conditions stipulated in Section 482(2) of Bharatiya Nagarik Suraksha Sanhita, 2023 and co-operate with the Investigating Officer in investigating the case.
- iii. The petitioner shall appear before the concerned Investigating Officer on every Monday between 09:00 a.m, and 05:00 p.m., and thereafter, as and when required.

7. Accordingly, the Criminal Petition is allowed.

Miscellaneous applications, if any pending, shall stand closed.

K. SUJANA, J

Date: 20.08.2025
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