

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.13714 OF 2025

ORDER :

This criminal petition is filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 by the petitioner/accused seeking anticipatory bail in connection with FIR No.293 of 2025 of Sulthanabad Police Station, Peddapalli District. The offences alleged against the petitioner are under Sections 409 and 420 of Indian Penal Code (for short 'IPC').

2. The case of the prosecution is that the defacto complainant lodged a report before police on 11.10.2025 stating that the petitioner herein has utilized the Government amount of Rs.4 lakhs which was kept in the post office for urgent withdrawal of depositors, he has mis-used the same for his personal use. As such, mis-appropriated the public money and requested the police to take necessary action. Basing on the said complaint, police registered the case against the accused for the above offences.

3. Heard Sri Y.Bala Murali, learned counsel for the petitioner and Sri D.Arun Kumar, learned Additional Public Prosecutor appearing for the respondent-State.

4. The contention of learned counsel for the petitioner is that petitioner is innocent of the said allegations and due to technical problem the amount was not reversed on the same day, but immediately after solving the technical problem the amount was sent to the concerned authorities and no departmental action is pending against the petitioner and as on today, petitioner is working in the same office. Hence, prayed this Court to grant anticipatory bail to the petitioner.

5. On the other hand, learned Additional Public Prosecutor opposed bail on the ground that the allegation against this petitioner is under Section 409 of IPC which deals with misappropriation of Government money which was entrusted to the petitioner. Therefore, at this stage, petitioner is not entitled for anticipatory bail and prayed to dismiss this petition.

6. Having regard to the submissions made and the material placed on record, the complaint shows that the amount which was mis-used by the petitioner was already deposited and petitioner is also not removed from the service and he is continuing in service in the same department. Considering the

facts and circumstances of the case, this Court deems it fit to grant bail to the petitioner subject to the following conditions :

- i. The petitioner/Accused shall surrender before the Station House Officer, Sulthanabad Police Station, Peddapalli District, within two weeks from today, and on such surrender, the said Station House Officer shall release the petitioner on bail on his executing a personal bond for Rs.25,000/- (Rupees Twenty five Thousand only) with two sureties, for the like sum each.
- ii. The petitioner/Accused shall appear before the concerned SHO at 11:00 a.m., on every Wednesday for a period of eight (8) weeks, for the purpose of investigation and thereafter, as and when required.
- iii. The petitioner/Accused shall abide by the other conditions stipulated in Section 482(2) of BNSS and co-operate with the Investigating Officer in investigating the case.

7. Accordingly, the Criminal Petition is allowed.

Miscellaneous petitions, if any, pending shall stand closed.

K. SUJANA, J

Date : 04.11.2025
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