

[3327]

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

WEDNESDAY, THE TENTH DAY OF MAY
TWO THOUSAND AND TWENTY THREE

:PRESENT:

THE HONOURABLE SRI JUSTICE K SREENIVASA REDDY

CRIMINAL PETITION NO: 3347 OF 2023



Between:

✓Kattamuri Venkata Subrahmanya Someswara Rama Suryanarayana Murthy @
Kattamuri VSRS Murthy, s/o KVN Subrahmanyam, Hindu, aged 51 yrs, r/o
H.No.134, Street no.A002, Upstairs of Apollo Pharmacy, Sai Nagar, Opp.
Balakrishna Ceramics, Morampudi, Rajamahendravaram Rural. East Godavari.

Petitioner/Accused

AND

The State of Andhra Pradesh, Rep. by its Public Prosectuor, High Court of AP,
Amaravathi Rep. Station House Officer, Devipatnam Police Station, East
Godavari District.

Respondent

Petition under Section 438 of Cr.P.C, is filed praying that in the circumstances stated in the memorandum of grounds filed in support of the Criminal Petition, the High Court may be pleased to Grant Anticipatory Bail in favour of the Petitioner in the event of his arrest in connection with the FIR in Crime No.26 of 2021, dt.09-03-2021 registered by the Devipatnam Police Station, East Godavari District, U/Sec. 409 85 420 of IPC.

The petition coming on for hearing, upon perusing the Petition and the memorandum of grounds filed in support thereof and upon hearing the arguments of Sri P RAJESH BABU Advocate for the Petitioner and of PUBLIC PROSECUTOR (AP) for the Respondent, the Court made the following

HON'BLE SRI JUSTICE K. SREENIVASA REDDY

Criminal Petition No.3347 of 2023

Order:

This Criminal Petition, under Section 438 of Cr.P.C., has been filed by the petitioner/sole accused, seeking anticipatory bail, in connection with Crime No.26 of 2021 of Devipatnam Police Station, East Godavari District, registered for the offences punishable under Sections 409, 420 IPC.

2. Heard. Perused the record.
3. On a perusal of the material on record goes to show that the petitioner herein has committed misappropriation of an amount Rs.2,59,560/- pertaining to his office for his personal use. The petitioner gave statement before the concerned official that he misappropriated the official funds so as to enable him to pay fees of his children and thereafter the said amount has been repaid back by the petitioner herein on 02.02.2017, on which, by an order dated 16.03.2022 the Central Administrative Tribunal, Hyderabad Bench,

Hyderabad allowed the Original Application holding that the impugned order dated 15.07.2020, 08.01.2021 and 30.06.2021 are liable to be set aside. It is further observed that the respondents are at liberty to take legal course in accordance with law. Thereafter, the Writ Petition No.3591 of 2023 came to be filed by the Director, Department of Posts, Government of India, against the said order passed in O.A.No.791 of 2021, upon which, this Court by an order 07.02.2023 passed an interim suspension against the order passed above since the petitioner herein has repaid back the entire amount.

4. In view of the aforesaid facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner herein, on the following conditions.

i) In the event of arrest of the petitioner herein in the aforesaid crime, he shall be enlarged on bail on his executing personal bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties of the like sum each to the satisfaction of the concerned Arresting Officer.

ii) Petitioner shall make themselves available for interrogation by a police officer as and when required, and they shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer.

iii) Petitioner shall attend before the Station House Officer concerned once in a week i.e. on every Friday between 10.00 AM and 01.00 PM till filing of charge sheet.

5. Accordingly, the Criminal Petition is allowed.

//TRUE COPY//

Sd/- S. SRINIVASA PRASAD
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The VIII Additional District & Sessions Judge, Rajamahendravaram, East Godavari.
2. The Station House Officer, Devipatnam Police Station, East Godavari District.
3. One CC to SRI. P RAJESH BABU Advocate [OPUC]
4. Two CCs to PUBLIC PROSECUTOR (AP), High Court of Andhra Pradesh. [OUT]
5. One spare copy.

ER



HIGH COURT

SRKJ

DATED:10/05/2023

BAIL ORDER

CRLP.No.3347 of 2023

ALLOWED

