

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI  
THURSDAY, THE TWENTY FOURTH DAY OF MARCH  
TWO THOUSAND AND TWENTY TWO



**:PRESENT:**

**THE HONOURABLE SRI JUSTICE D RAMESH**

**IA No. 1 OF 2022**

**IN**

**CRLP NO: 2109 OF 2022**

**Between:**

Smt. K. Bala Tripura Sundari, W/o Lakshmi Vara Prasad, Aged: 41 years, R/o H.No.6-2-1, 2<sup>nd</sup> Floor, Chitti Nagar, Tadi Kondayya Street, Vijayawada, Krishna District

**...Petitioner/Accused No.1**

**AND**

1. The State of Andhra Pradesh, represented by its Public Prosecutor, High Court of Andhra Pradesh, at Amaravati
2. Ale Sydavali Shaik, Deputy Secretary (Accounts), Board of Intermediate Education, A.P., Tadepalli, Guntur District. (De-facto Complainant)

**...Respondents**

Petition filed under Section 482 of Cr.P.C 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 pass in interim stay of all further proceedings in FIR No.258 of 2022 of Tadepalli Police Station, Guntur District, including her arrest, Pending disposal of CRLP No. 2109 of 2022, on the file of the High Court.

The petition coming on for hearing, upon perusing the Criminal Petition and the memorandum of grounds filed in support thereof and upon hearing the arguments of M/s. K. JYOTHI PRASAD, Advocate for the Petitioner/Accused No.1, and of Public Prosecutor for the Respondent No.1, the Court made the following;

**ORDER:**

Learned counsel for the petitioner would submit that the petitioner has worked as Data Entry Operator through outsourcing agency in the office of the Board of Intermediate till January, 2021 and she has not been made custodian of the amounts, as such the allegation of misappropriation of funds by the petitioner under section 409 IPC would not attract against the petitioner.

Learned Additional Public Prosecutor appearing on behalf of the State opposed the same and submitted that the petitioner being worked as public servant, the allegations made in the compliant would clearly attracts the ingredients of section 409 IPC.

Considering the submissions made and on perusal of material on record, the respondents are directed to follow the procedure contemplated under section 41-A Cr.P.C., without insisting the custodial interrogation of the petitioner.

**//TRUE COPY//**

SD/- V.SAVITHRI GOWRI  
ASSISTANT REGISTRAR

  
SECTION OFFICER

To,

1. The Station House Officer, Tadepalli Police Station, Guntur District.
2. Ale Sydavali Shaik, Deputy Secretary (Accounts), Board of Intermediate Education, A.P., Tadepalli, Guntur District. ( **By RPAD**)
3. One CC to M/s.. K. JYOTHI PRASAD, Advocate [OPUC]
4. Two CCs to PUBLIC PROSECUTOR, High Court of Andhra Pradesh [OUT]
5. One spare copy

VD



HIGH COURT

DRJ

DATED:24/03/2022

ORDER

IA No. 1 OF 2022  
IN  
CRLP NO: 2109 OF 2022

DIRECTION

