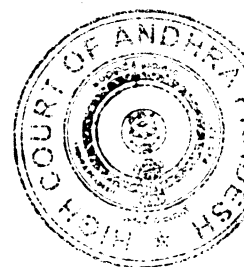


**IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI**

MONDAY, THE FIFTH DAY OF OCTOBER, TWO THOUSAND AND TWENTY

: PRESENT :

**THE HONOURABLE SRI JUSTICE CHEEKATI MANAVENDRANATH ROY**



CRL.P.No. 4068 of 2020

Between:-

G. Narasimha Murthy, S/o. Satyanarayana.

.....Petitioner/Accused No.2.

AND

The State of Andhra Pradesh, Rep. by its Public Prosecutor,  
High Court of Andhra Pradesh at Amaravati.

.....Respondent.

Petition filed under Section 438 of Cr.P.C. praying that in the circumstances stated in the Grounds of Criminal Petition, the High Court may be pleased to direct the Station House officer, Kakinada III Town P.S. to release the Petitioner on Bail in the event of his arrest in connection with FIR NO. 34/2020 on the file of the Kakinada III Town Police Station, East Godavari District.

The petition coming on for hearing, upon perusing the Petition and the grounds filed in support thereof and upon hearing the arguments of Sri G. Rama Gopal, Advocate for the Petitioner, and of the Addl. Public Prosecutor for the Respondent, the Court made the following

**ORDER :-**

**HON'BLE SRI JUSTICE CHEEKATI MANAVENDRANATH ROY**

**Criminal Petition No.4068 of 2020**

**Order:**

This petition is filed under Section 438 of Cr.P.C to enlarge the petitioner on bail in the event of his arrest.

2. The petitioner is accused No.2 in Crime No.34/2020 of III Town Police Station, Kakinada of East Godavari District.

3. The offences registered against him are under Section 409 read with Section 34 of IPC.

4. Briefly stated, it is the case of the prosecution that accused No.1 is working as Administrative Officer in District Medical and Health Office, Kakinada and accused No.2 is working as Shroff in the same office. They have misappropriated huge sum of Rs.33,00,000/- from the DDO account of the said office and thereby committed the aforesaid offences.

5. Heard learned counsel for the petitioner and the learned Additional Public Prosecutor.

6. Learned counsel for the petitioner would submit that this Court has already granted anticipatory bail to accused No.1 in CrI. P. No.2972 of 2020 and submits that the petitioner herein, who is accused No.2, is also similarly placed and thereby prayed to grant anticipatory bail to him.

7. Learned Additional Public Prosecutor opposed the criminal petition. He would submit that anticipatory bail was

granted to accused No.1 as she was a woman and as such the petitioner is not entitled to anticipatory bail.

8. Perused the record.

9. As can be seen from the order dated 17-8-2020 passed in CrI. P. No.2972 of 2020, this Court has already granted anticipatory bail to accused No.1. At para-7 of the said order, this Court held that accused No.1 was already under suspension and the amount was already paid and as such the petitioner is entitled to anticipatory bail. Therefore, the petitioner herein, who is accused No.2, who is similarly placed, is also entitled to the said relief of pre-arrest bail.

10. In the result, the petition is allowed. In the event of the arrest of the petitioner/accused No.2 in Crime No.34/2020 of III Town Police Station, Kakinada, he shall be forthwith released on bail on execution of a self bond for Rs.25,000/- (Rupees twenty five thousand only) with two sureties for a like sum each to the satisfaction of the Station House Officer of III Town Police Station, Kakinada. On his release, he shall not make any attempt to tamper with the prosecution evidence and he should make himself available to the Investigating Officer as and when required to facilitate proper investigation.

//TRUE COPY//

Sd/- K. JAGANMOHAN  
DEPUTY REGISTRAR  
SECTION OFFICER,

- To
- 1.The Station House Officer, Kakinada III Town Police Station, Kakinada, East Godavari District.
  - 2.One CC to Sri G. RAMA GOPAL, Advocate(OPUC)
  - 3.Two CCs to PUBLIC PROSECUTOR, High Court of A.P.,(OUT)
  - 4.One spare copy.

TKK

**HIGH COURT**

**CMR.J**

**DT.05-10-2020.**

**ANTICIPATOR  
BAIL ORDER**

**CRL.P.No. 4068 of 2020.**

**RELEASE THE PETITOINER  
ON BAIL**

