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IN THE COURT OF III-ADDL. DIST. & SESSIONS JUDGE, RAICHUR, SITTING AT SINDHANUR.

Crl.Misc. No.5190/2026

PRESENT: Sri. B.B.Jakati
B.A., LL.M.,

III-Addl. Dist. & Sessions Judge, Raichur,
Sitting at Sindhanur.

Dated this the 29th day of May, 2026

Petitioner/accused :-

Rajashekar, S/o.Tippanna, 34 years, Coolie/Agriculture, R/o.Lingasugur, Tq.Lingasugur, Dist.Raichur.

(Accused No.2 as per FIR)
(By Shri S.H.G, Advocate)

// **Versus** //

Respondent:

The State through SHO, Mudgal Police Station, Dist. Raichur.

(Through learned Spl. Public Prosecutor)

ORDER

This petition is filed under Section 438 of Cr.P.C., for anticipatory bail in

Cr.No.**148/2024** of Mudgal Police Station, which is registered for the offences punishable under Sections 406, 420, 465 of IPC.

2. The case of the prosecution, as could be seen from the records, is that the RDCC Bank was having a branch at Mudgal. Accused No.1/Shivaputrappa was working as the Manager and accused No.2/Rajashekar was working as an employee in the said branch. The main branch of RDCC Bank conducted an audit of the Mudgal branch in respect of the transactions made during the period from 04.05.2017 to 03.05.2022. The audit report was prepared on 26.03.2024. In the audit report, it was revealed that accused No.1, being the Manager, and accused No.2, being an employee, were having user IDs to operate the accounts of the branch with the main branch. By using such user IDs, both the accused allegedly created false entries and withdrew an amount of Rs.2,20,02,699/-. It is further alleged that a portion of the said amount was transferred to the accounts of 20 account holders by creating false records. After submission of the audit report, 11 employees of the Mudgal Branch refunded an amount of Rs.47,88,133/-. However, accused No.1 and 2 did not refund any amount alleged to have been misappropriated by them. Therefore, on 06.11.2024, the complaint came to be lodged against the accused persons. Accused No.2, who is shown as an accused in the FIR, has apprehended his arrest and has approached this Court seeking anticipatory bail.

3. The prosecution has filed objection to the petition.

4. The learned counsel for the petitioner has argued that the petitioner is unaware of misappropriation in Mudgal Branch of RDCC Bank. He has been falsely

implicated in the case. He has not received any money from the branch. False allegations are levelled against the petitioner. He is ready to co-operate with the investigation.

5. The learned Public Prosecutor has opposed the submission of learned counsel for the petitioner and prayed to reject the petition.

6. I have carefully perused the records.

7. The only point that arises for my consideration is:

> **"Whether the petitioner/accused is entitled for anticipatory bail ?"**

8. My finding is in the **affirmative** for the following:

:: R E A S O N S ::

9. There is allegation that accused No.1/Shivaputrappa and accused No.2/petitioner were working as the Manager and employee respectively in the RDCC Bank, Mudgal Branch, at the relevant point of time. This fact is not denied by the petitioner. It is also not in dispute that an audit was conducted and in the said audit, it was revealed that an amount of Rs.2,20,02,699/- was misappropriated from the Mudgal Branch by falsification of records. The details regarding falsification of records are

specifically narrated in the complaint. The petitioner is not denying the factum of misappropriation of funds belonging to the institution either by accused No.1 or by any other person. The fact remains that there was misappropriation of funds of the institution to the extent of more than Rupees Two Crores.

10. There is specific allegation that accused No.2 was holding a user ID along with accused No.1 and both such user IDs were used for withdrawal of an amount of Rs.2,20,02,699/-. Therefore, the use of the user ID of accused No.2 for the transactions of the Mudgal Branch prima facie indicates the involvement of the petitioner in the fraudulent transactions. Hence, there is a prima facie case against the petitioner for the offences punishable under Sections 465, 406 and 420 of IPC. The said offences are punishable with imprisonment of less than seven years and they are not punishable with death or imprisonment for life.

11. The petitioner is still serving in the same branch and therefore, his presence can be secured easily for the purpose of investigation and trial. If the specimen signatures or handwritings of the petitioner are required during the course of investigation, the Investigation Officer can secure such specimen signatures or handwritings even if the petitioner is released on bail. The custodial interrogation of the petitioner may not be necessary. If the petitioner is arrested, he would be humiliated. Having regard to these facts and circumstances, I am of

the considered opinion that the petitioner deserves to be enlarged on bail. Accordingly, I answer this point in the affirmative and proceed to pass the following;

ORDER

The petition filed under Section 438 of Cr.P.C., is hereby allowed.

Mudgal Police is hereby directed to release the petitioner on anticipatory bail in the event of his arrest in Crime No.148/2024, on executing personal bond for a sum of Rs.50,000/- with one surety for the like-sum, subject to the following conditions;

1. He shall surrender before the cocnerned court 15 days from the date of this order and execute personal & surety bonds.
2. He shall furnish ID proof of himself and surety.
3. He shall co-operate with the investigation.
4. He shall not tamper or threaten the prosecution witnesses.
5. He shall furnish his specimen hand-writing and signature if asked by the Investigation Officer.

(Dictated to the Steno Grade-I, transcribed by her, corrected, signed and then pronounced by me in the open court, on this the 29th day of May, 2026.)

(B. B. Jakati),
III Addl. District & Sessions Judge, Raichur,
Sitting at Sindhanur.