

**IN THE COURT OF THE PRINCIPAL JUDICIAL MAGISTRATE OF
FIRST CLASS, MANCHERIAL**

Present: Smt. G. Kavitha,
Prl. Judicial Magistrate of First Class,
Mancherial.

Tuesday, this the 28th day of April, 2026

CC.No. 639 of 2023
(Old CC No. 1650 of 2019)

Between:

The State of Telangana through Sub Inspector
of Police, Ramakrishnapur.

...Complainant

//And//

Bairi Rajendra Prasad, S/o. Late Ashalu, Aged: 34 years, Occ: Sub-Post
Master, R/o. H.No. 24-206, Ashok Nagar, Mancherial.

...Accused Person

*This case is coming before me for final hearing on 23.04.2026 in the presence of **Learned Assistant Public Prosecutor** for the State and **Sri. M.Venkanna**, Learned Counsel for Accused person and having been heard and having stood over for consideration till this day, the Court delivered the following:-*

J U D G M E N T

1. Sub-Inspector of Police, Ramakrishnapur has filed charge sheet against accused person for the offence punishable U/Sec. 409, 420 of I.P.C.

2. The case of Prosecution as follows:

(i) The accused/Bairi Rajendra Prasad, S/o Late Bairi Ashalu, aged about 34 years, was working as Sub-Postmaster at Ramakrishnapur Sub Post Office, under Adilabad Division, during the relevant period. Being a

public servant, he was entrusted with the duty of handling and accounting Government funds received in the course of postal transactions.

(ii). On 17.09.2019 at about 11:00 hours, the complainant Rasakatla Vikram, Sub-Divisional Inspector of Postal Department, Bellampalli, lodged a report before Police Station, Ramakrishnapur, stating that, on the directions of the Superintendent of Post Offices, Adilabad Division, he conducted an inspection of the Ramakrishnapur Sub Post Office on 29.08.2019. During the course of inspection, it was detected that the accused had failed to incorporate certain financial transactions dated 22.07.2019 into the official accounts of the Sub Post Office, thereby causing misappropriation of Government funds. The unaccounted transactions pertain to various postal savings schemes, namely, SB deposits – Rs. 1,10,528/- RD deposits – Rs. 700/-, SSA deposits – Rs. 39,000/-, KVP issue – Rs. 49,000/-, Time deposit (3 years) – Rs. 1,00,000/-, SB withdrawal – Rs. 1,00,000/- and MIS interest – Rs. 4,378/-. Thus, the accused allegedly misappropriated a total sum of Rs. 1,94,850/- (Rupees One Lakh Ninety Four Thousand Eight Hundred and Fifty only). It is the further case of the prosecution that the accused, in his capacity as Sub-Postmaster, dishonestly retained the said Government amount by not entering the transactions in the official records, thereby

committing criminal breach of trust and cheating. During the course of inquiry, the accused is stated to have admitted his guilt and subsequently refunded the misappropriated amount along with penal interest on 29.08.2019.

(iii). On the basis of the said report, a case in Crime No. 141/2019 was registered for the offences punishable under Sections 409 and 420 IPC. Investigation was taken up, during which the Investigating Officer examined the complainant and other witnesses, recorded their statements under Section 161 Cr.P.C., and collected documentary evidence including inquiry reports, account statements, and consolidated transaction records. It is further stated that the investigation further reveals that the statements of witnesses corroborate the prosecution version, and the documentary evidence establishes that the transactions in question were not incorporated into the accounts on the relevant date. Upon completion of investigation, and finding sufficient material, the Investigating Officer laid the charge sheet against the accused for the offences punishable under Sections 409 and 420 of the Indian Penal Code.

3. Cognizance is taken for the offence U/Sec. 409 and 420 of I.P.C against accused person by my learned predecessor.

4. After service of summons, accused person appeared before the court and he was furnished with the copies of documents U/Sec. 207 of Cr.P.C and thereafter, examined under Sec.239 of Cr.P.C for the accusation levelled against him under Sec. 409 and 420 of IPC, for which, he pleaded not guilty and claimed to be tried.

5. In order to prove the guilt of the accused person, prosecution had examined PW1 to PW7 and got marked Ex.P1 to Ex.P25. Ex.P1 is the report, Ex.P2 is the enquiry report, dated: 29.08.2019, Ex.P3 is the statement of accused, Ex.P4 is the request letter by the accused, dated: 29.08.2019, Ex.P5 is the CC of Daily transaction report, dated: 20.07.2019, Ex.P6 is the CC of daily transaction report, dated: 22.07.2019, Ex.P7 is the CC of daily transaction report, dated: 23.07.2019, Ex.P8 is the CC of daily transaction report, dated: 29.08.2019, Ex.P9 is the CC of Consolidated saving account journal, dated: 22.07.2019, Ex.P10 is the CC of Consolidated RD Account Journal, dated: 22.07.2019, Ex.P11 is the CC of Consolidated KVP/NSE Journal, dated: 22.07.2019, Ex.P12 is the CC of Consolidated TD account Journal, dated: 22.07.2019, Ex.P13 is the CC of Consolidated SSY Account Journal, dated: 22.07.2019, Ex.P14 is the CC of Consolidated MIS Account Journal, dated: 22.07.2019, Ex.P15 is the CC of Consolidated UCR/credited certificate, dated: 29.08.2019, Ex.P16 is the

CC of Superintendent of Post Office, Adilabad written instruction filing police case, dated: 16.09.2019, Ex.P17 is the 161 Cr.P.C Statement of PW3, Ex.P18 is the 161 Cr.P.C Statement of PW4, Ex.P19 is the Signature of PW5 on CDF, Ex.P20 is the Signature of PW5 on Rough Sketch, Ex.P21 is the Signature of PW6 on CDF, Ex.P22 is the Signature of PW6 on Rough Sketch, Ex.P23 is the FIR, Ex.P24 is the CDF and Ex.P25 is the Rough Sketch.

6. After closure of prosecution-evidence, the incriminating circumstances found against the accused person were explained to the accused person under section 313 of Cr.P.C, for which, he denied and reported no defence evidence.

7. Heard both sides and perused the material record.

8. **Now the point for determination that arose is:**

(i). Whether the accused, being a public servant, was entrusted with Government funds and committed criminal breach of trust?

(ii). Whether the accused cheated the department by dishonestly misappropriating the amount of Rs.1,94,850/-?

(iii). To what relief?

9. **Point:** To prove the case, prosecution examined Pw1 to Pw7 and got marked Ex.P1 to Ex.P25.

10. PW1/R.Vikram, Postal Inspector, deposed that he conducted an enquiry on 29.08.2019 at Ramakrishnapur Post Office on the directions of the Superintendent of Post Offices, Adilabad Division. During inspection, he found that transactions, dated 22.07.2019 amounting to Rs. 1,94,850/- were not accounted in the Government records. He further stated that the accused, who was then Sub-Postmaster, misappropriated the said amount. PW1 further deposed that upon questioning, the accused admitted the misappropriation in writing and repaid the entire amount along with a request letter. He further stated that he submitted his enquiry report to higher authorities, after which the accused was placed under suspension. He also lodged a complaint before the police and identified Ex.P1 to Ex.P4 documents.

11. During cross-examination, PW1 admitted that he did not collect original vouchers, deposit slips, or withdrawal forms relating to the transactions. He also admitted that he did not examine depositors or verify records with higher postal authorities. He further admitted that no independent confirmation was obtained regarding alleged misappropriation. Thus, the evidence of PW1 establishes detection of

non-accounting of transactions and alleged admission by the accused, but lacks primary documentary support and independent corroboration.

12. As seen from the evidence of PW2, during cross examination. PW2 admitted that he did not verify the transactions personally and came to know about misappropriation through PW1. Hence, his evidence is hearsay in nature and not direct proof.

14. PW3 & PW4 turned hostile and did not support prosecution. Their evidence is of no assistance to the prosecution.

13. PW5 & PW6 did not support the prosecution case and denied knowledge of panchanama. Thus, scene of offence is not proved.

16. PW7/N.Ramakanth/SI of police deposed that on 17.09.2019 at 11.00 hours, he received report from PW1 based in it, he registered a case in Cr.No. 14 of 2019 for the offence punishable U/Sec. 409 & 420 of IPC and issued FIR to all the concerned. FIR is marked as Ex.P23. He further stated that during the course of investigation, he examined LW1 and recorded his statement at Police Station and collected the documents/Ex.P5 to P6. Thereafter, he visited the Scene of Offence in the presence of PW5 and PW6. He conducted CDF and drew rough

sketch. Later he examined and recorded statement of PW2 to PW4. Subsequently he handed over the CD file to LW8 for further investigation. He further stated that thereafter LW8 received CD file from him and verified the investigation done him and found it on proper line and took up for further investigation. He further stated that as per the orders of Hon'ble High Court for the state of Telangana vide CrI.WP.No. 6406/2019 accused came to Police Station on 01.11.2019 and surrendered before LW8 and admitted the guilty to have committed this offence. He further stated that later LW8 released accused on personal bail. After completion of entire investigation, LW8 filed charge sheet against the accused.

17. As seen from the evidence of PW7, PW7 being Investigation Officer, PW7 admitted that no account holders were examined, no receipts or vouchers were collected, no sanction was obtained and no verification with higher authorities was done which shows that investigation is defective.

18. Having regard to facts and circumstances, it is concluded that the prosecution failed to establish offence under Section 409 of IPC, prosecution must prove entrustment and misappropriation. For under Section 420 of IPC, deception and dishonest intention must be proved. In this case, misappropriation is not proved with reliable evidence. No

primary documents or independent corroboration is available. Alleged admission is not proved in accordance with law. The prosecution failed to prove the guilt of the accused beyond reasonable doubt. The case suffers from lack of primary evidence, hostile witnesses, and defective investigation. Benefit of doubt goes to the accused. Hence, the accused person is entitled for acquittal. The point is answered, accordingly.

19. **In the result,** Accused is found not guilty for the offence punishable U/Sec. 409 and 420 of IPC. Accordingly, Accused is acquitted Under Sec.248(1) of Cr.P.C. for the above said offence. The bail bonds of Accused person, if any, shall stand cancelled, after expiry of appeal time. There is no case property.

Typed to my dictation by the Typist, corrected and pronounced by me in the open court on this 28th day of April, 2026.

Prl. Judl. Magistrate of First Class,
Mancherial.

APPENDIX OF EVIDENCE
WITNESSES EXAMINED FOR

PROSECUTION:

PW-1: R.Vikram

PW-2: Adbul Athiq

PW-3: MD. Sarwar

PW-4: P.Veera Bandaraiah

PW-5: K.Surender

DEFENCE:

- None -

PW-6: Sampath

PW-7: N.Ramakanth

EXHIBITS MARKED FOR : PROSECUTION:

Ex.P1: Report.

Ex.P2: Enquiry report, dated: 29.08.2019.

Ex.P3: Statement of accused.

Ex.P4: Request letter by the accused, dated: 29.08.2019.

Ex.P5: CC of Daily transaction report, dated: 20.07.2019.

Ex.P6: CC of daily transaction report, dated: 22.07.2019.

Ex.P7: CC of daily transaction report, dated: 23.07.2019.

Ex.P8: CC of daily transaction report, dated: 29.08.2019.

Ex.P9: CC of Consolidated saving account journal, dated: 22.07.2019.

Ex.P10: CC of Consolidated RD Account Journal, dated: 22.07.2019.

Ex.P11: CC of Consolidated KVP/NSE Journal, dated: 22.07.2019.

Ex.P12: CC of Consolidated TD account Journal, dated: 22.07.2019.

Ex.P13: CC of Consolidated SSY Account Journal, dated: 22.07.2019.

Ex.P14: CC of Consolidated MIS Account Journal, dated: 22.07.2019.

Ex.P15: CC of Consolidated UCR/credited certificate, dated: 29.08.2019.

Ex.P16: CC of Superintendent of Post Office, Adilabad written instruction
filing police case, dated: 16.09.2019.

Ex.P17: Sec. 161 Cr.P.C Statement of PW3.

Ex.P18: Sec. 161 Cr.P.C Statement of PW4.

Ex.P19: Signature of PW5 on CDF.

Ex.P20: Signature of PW5 on Rough Sketch.

Ex.P21: Signature of PW6 on CDF.

Ex.P22: Signature of PW6 on Rough Sketch.

Ex.P23: FIR.

Ex.P24: CDF

Ex.P25: Rough Sketch.

EXHIBITS MARKED FOR : DEFENCE:

-Nil-

MATERIAL OBJECTS MARKED

-Nil-

Prl. Judl. Magistrate of First Class,
Mancherial.

**IN THE COURT OF THE PRINCIPAL JUDICIAL MAGISTRATE OF
FIRST CLASS, MANCHERIAL**

CC No. 639 of 2023

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|----|---------------------------------|---|---|
| 1 | Calendar Case No. | : | 639 of 2023 |
| 2 | Name of the P.S. | : | Ramakrishnapur |
| 3 | Section of Law | : | U/Sec. 409 and 420 of I.P.C. |
| 4 | Crime No. | : | 14 of 2019 |
| 5 | Name and description of accused | : | Bairi Rajendra Prasad, S/o. Late Ashalu, Aged: 34 years, Occ: Sub-Post Master, R/o. H.No. 24-206, Ashok Nagar, Mancherial. |
| 6 | Date of offence | : | 22.07.2019 |
| 7 | Date of complaint | : | 17.09.2019 |
| 8 | Date of Apprehension | : | 01.11.2019 |
| 9 | Released on bail | : | 01.11.2019 |
| 10 | Commencement of trial | : | 04.12.2025 |
| 11 | Close of Trial | : | 09.04.2026 |
| 12 | Date of Judgment | : | 28.04.2026 |
| 13 | Reasons for delay | : | - |
| 14 | Sentence of order | : | IN THE RESULT:- Accused is found not guilty for the offence punishable U/Sec. 409 and 420 of IPC. Accordingly, Accused is acquitted Under Sec.248(1) of Cr.P.C. for the above said offence. The bail bonds of Accused person, if any, shall stand cancelled, after expiry of appeal time. There is no case property. |

Prl. Judl. Magistrate of First Class,
Mancherial.