



**IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI
(Special Original Jurisdiction)**

[3396]

**MONDAY, THE NINTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY SIX**

PRESENT

THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA

**CRIMINAL PETITION Nos: 127/2026, 128/2026, 129/2026, 130/2026,
131/2026, 132/2026, 134/2026, 135/2026, 136/2026, 137/2026, 168/2026,
169/2026, 171/2026, 195/2026, 207/2026, 223/2026 & 224/2026**

Between:

1. VARANASI VENKATA RAMANA, S/O. V.J.K. MURTHY, HINDU, AGED
59 YEARS. DOOR NO. 31-14-21/A1, AKULA CHINA NAGAI AH
STREET VIJAYAWADA URBAN A.P.

...PETITIONER

AND

1. THE STATE OF ANDHRA PRADESH, rep. by its Special Public
Prosecutor for CID, High Court of Andhra Pradesh at Amaravathi.

...RESPONDENT/COMPLAINANT

Counsel for the Petitioner/accused:

1. M S R SASHI BHUSHAN

Counsel for the Respondent/complainant:

1. PUBLIC PROSECUTOR

The Court made the following:

THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA

CRIMINAL PETITION Nos: 127/2026, 128/2026, 129/2026, 130/2026, 131/2026, 132/2026, 134/2026, 135/2026, 136/2026, 137/2026, 168/2026, 169/2026, 171/2026, 195/2026, 207/2026, 223/2026 & 224/2026

Common Order:

The Criminal Petitions Nos.127/2026, 128/2026, 129/2026, 130/2026, 131/2026, 132/2026, 134/2026, 135/2026, 136/2026, 137/2026, 168/2026, 169/2026, 171/2026, 195/2026, 207/2026, 223/2026 & 224/2026 are filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for brevity, 'the BNSS'), by the petitioner, who is arrayed as Accused No.3 in Crime No.18/2022, Accused No.6 in Crime No.24 of 2022, Accused No.5 in Crime No.17 of 2022, Accused No.4 in Crime No.19/2022, Accused No.5 in Crime No.29/2022, Accused No.3 in Crime No.20/2022, Accused No.7 in Crime No.23/2022, Accused No.4 in Crime No.27/2022, Accused No.5 in Crime No.22/2022, Accused No.6 in Crime No.21/2022, Accused No.3 in Crime No.37/2022, Accused No.5 in Crime No.31/2022, Accused No.3 in Crime No.44/2022, Accused No.7 in Crime No.43/2022, Accused No.7 in Crime No.30/2022, Accused No.4 in Crime No.39/2022 and Accused No.3 in Crime No.42/2022, all registered by CID Police Station, A.P., Mangalagiri, seeking anticipatory bail in connection with offences punishable under Sections 420, 403, 409 read with 120-B of Indian Penal Code and Section 13(2) of Prevention of Corruption Act, 1988.

2. Since all the petitions arise out of same set of facts and petitioner is arrayed as different accused in different crimes, these Criminal Petitions are disposed of together by this common order.

3. Case of the prosecution, in brief, is that based on a report submitted by Sri B. Rajasekharam, Regional Manager, R-V, Regional Business Office, Bhupal Nagar, Tadepalligudem, crimes came to be registered alleging that the petitioner, along with Sri T.N.L. Madhava Rao, the then Branch Manager, sanctioned loans by violating Bank norms and exceeding discretionary powers to Guarantors-cum-Borrowers fraudulently. It is alleged that Bank officials failed to adhere to guidelines and sanctioned loans without conducting proper inspections and complying with prescribed procedures.

4. Heard the learned counsel for the petitioner and learned Assistant Public Prosecutor representing the respondent/State.

5. Learned counsel for the petitioner submits that, except for the offence under Section 409 IPC, all other alleged offences are punishable with imprisonment below seven years. The petitioner served in the Indian Army for about 20 years and thereafter, as an ex-serviceman, was appointed as an officer in the Bank, where the alleged scam is stated to have occurred. It is further submitted that, till date, not even an iota of evidence has been secured to show that the petitioner derived any personal benefit from the alleged transactions, apart from other officers of the Bank. Though the Bank is stated to have suffered a loss of Rs.7.66 crores, the petitioner contends that he had

obtained promotion as OJM in the month of May 2018 and that the alleged transactions took place during the period from 2018 to 2021. Learned counsel further argues that the offences under Sections 420 and 409 IPC cannot be mechanically invoked together, as there was no entrustment of property or any conversion of the same for the personal use of the petitioner, hence prays to release the petitioner on anticipatory bail.

6. In support of his contention, learned counsel for the petitioner relied on decisions of Hon'ble Apex Court reported in **J.J.G.S.Singhvi Vs. H.L.Dattu AIR 2012 SC 830, 2) AIR 2014 SC 2756, 3) 2020 SAR (Crl) 425, 4) AIR 2021 SC 1 and 5) AIR 2022 SC 3386.**

7. Per contra, learned Assistant Public Prosecutor would submit that one Smt. Kapulapalli Rama Lakshmi fraudulently availed agricultural loans under the Agri Asset Backed Loan Scheme in her name for pisciculture activities, by submitting fabricated documents and thereby caused wrongful loss to the Bank. The petitioner, being the Field Officer processed and recommended the said loans and the then Branch Manager sanctioned the loans without any due diligence. The petitioner is also involved in multiple similar bank fraud cases and they are pending investigation. Arrest of petitioner and custodial examination is necessary to identify the roles of other Bank Officials and intermediaries who assisted in processing the fraudulent loans. Hence, prays to dismiss the petitions.

8. A perusal of the record shows that disciplinary proceedings were initiated against the petitioner mainly on the ground that he failed to process loan proposals diligently. An explanation was sought from him, wherein he stated that any lapses occurred only due to work exigencies and were not intentional. The record would also show that whenever the Investigating Officer required the petitioner's presence, requisitions were sent to his Superior Officers, and the petitioner was duly deputed to appear and cooperate with the investigation. It is further submitted that he was not dismissed from service; instead, he was imposed with the penalty of "reduction to a lower stage in the time scale of pay by five stages for a period of one year" and thereafter reinstated into service. Since the crimes pertain to the year 2022 and the petitioner has been consistently cooperating, it appears that a substantial part of the investigation has already been completed and there is no apparent flight risk.

9. The Hon'ble Supreme Court, in **Pratibha Manchanda and another vs. State of Haryana and another**¹, with regard to the factors and parameters that need to be kept in mind by the Court to grant anticipatory bail, categorically held as follows:

"19. In Siddharam Satlingappa Mhetre v. State of Maharashtra [Siddharam Satlingappa Mhetre v. State of Maharashtra, (2011) 1 SCC 694 : (2011) 1 SCC (Cri) 514] , this Court carefully considered the principles established by the Constitution Bench in Gurbaksh Singh Sibbia v. State of Punjab [Gurbaksh Singh Sibbia v. State of Punjab, (1980) 2 SCC 565 : 1980 SCC (Cri) 465] case. After a thorough deliberation, this Court arrived at

¹ (2023) 8 SCC 181

the following conclusion : (Siddharam Satlingappa Mhetre case [Siddharam Satlingappa Mhetre v. State of Maharashtra, (2011) 1 SCC 694 : (2011) 1 SCC (Cri) 514] , SCC p. 736, para 112)

“112. The following factors and parameters can be taken into consideration while dealing with anticipatory bail:

(i) The nature and gravity of the accusation and the exact role of the accused must be properly comprehended before arrest is made;

(ii) The antecedents of the applicant including the fact as to whether the accused has previously undergone imprisonment on conviction by a court in respect of any cognizable offence;

(iii) The possibility of the applicant to flee from justice;

(iv) The possibility of the accused's likelihood to repeat similar or other offences;

(v) Where the accusations have been made only with the object of injuring or humiliating the applicant by arresting him or her;

(vi) Impact of grant of anticipatory bail, particularly in cases of large magnitude affecting a very large number of people.”

20. *In Sushila Aggarwal v. State (NCT of Delhi) [Sushila Aggarwal v. State (NCT of Delhi), (2018) 7 SCC 731 : (2018) 3 SCC (Cri) 331] , the Constitution Bench reaffirmed that when considering applications for anticipatory bail, courts should consider factors such as the nature and gravity of the offences, the role attributed to the applicant, and the specific facts of the case.”*

10. In the light of the judgments referred to *supra* and in the facts and circumstances of the present case, this Court is inclined to consider the request of petitioner for grant of anticipatory bail, however, subject to conditions.

11. Accordingly, Petitioner shall appear before the learned Special Judge for Trial of Cases under Prevention of Corruption Act, Rajamahendravaram, within two (2) weeks, from the date of receipt of copy of this order, and execute a personal bond for a sum of Rs.20,000/- (Rupees twenty thousand only), with two sureties for the like sum each, to the satisfaction of the said Court. The petitioner shall make himself available for investigation as and when required and that he shall not cause any threat, inducement or promise to the prosecution witnesses. The petitioner shall appear before the Station House Officer concerned, once in a week i.e. on every Sunday between 10.00 a.m. and 01.00 p.m. till filing of the charge sheets.

12. Accordingly, these Criminal Petitions are allowed.

Dr. JUSTICE VENKATA JYOTHIRMAI PRATAPA

Date: 09.02.2026
ARB

THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA

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