

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

[3327]

FRIDAY ,THE SIXTH DAY OF JANUARY
TWO THOUSAND AND TWENTY THREE

:PRESENT:

THE HONOURABLE SRI JUSTICE K SREENIVASA REDDY

CRIMINAL PETITION NO: 11 OF 2023

Between:

Dandapalli Somasekhar @ Somasekhar, S/o.Venkatesh, Aged 44years,
R/o.D.No.10-125, Prasantrh Nagar, Rontakunta Road, Ganagvaram,
ChittoorDistrict.

**Petitioner/
Accused No.5**

AND

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

**Respondent/
Complainant**

Petition under Section 438 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 direct the Station House Officer, Alipiri P.S., Tirupathi urban to release the petitioner/Accused No.5 on bail in the event of his apprehension in connection with Crime No.68/2022.

COUNSEL FOR THE PETITIONER : SRI RAMAKRISHNA AKURATHI

COUNSEL FOR THE RESPONDENT : PUBLIC PROSECUTOR

THE COURT MADE THE FOLLOWING ORDER

THE HON'BLE SRI JUSTICE K. SREENIVASA REDDY**CRIMINAL PETITION NO.11 OF 2023****ORDER:-**

The Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973, is filed on behalf of the petitioner/Accused No.5 to grant anticipatory bail in connection with Crime No.68 of 2022 of Alipiri Police Station, Tirupathi Uban.

2) A case has been registered against the petitioner and others for the offences punishable under Sections 379 IPC, Section 20(1)(c) (ii) (iii) (iv) (iv) (x) and 29(1)(4)(a)i(a)(b) of the A.P.Forest Act.

3) Brief facts of the case are that, on 19.02.2022 at about 06.00 p.m., on reliable information about illegal transportation of Red Sander Wood, the Reserve Sub-Inspector of Police, District Armed Reserve, Tirupathi Uban, proceeded near to Haritha Colony Forest Area, Mangalam, Tirupathi and found A1 to A3 in possession of 27 red sander wood logs for the purpose of transporting them to Tamilnadu. A4, who was waiting with vehicle, escaped from the spot. A1 to A3 were arrested and 27 red sander woods along with other material was seized under the cover of Mahazar Report.

4) Heard. Perused the record.

5) Basing on the confessional statement of the co-accused, the petitioner has been shown as accused in the present case. The petitioner is working as Sub-Inspector of Police. If he is arrested, there is every chance of losing his job. The learned Special

Assistant Public Prosecutor submits that major portion of investigation is completed.

6) In view of above facts and circumstances of the case, this Court is inclined to consider request of petitioner for grant of anticipatory bail, however, on conditions.

7) Accordingly, in the event of his arrest, petitioner/ Accused No.5 shall be released on bail on executing a personal bond for a sum of Rs.10,000/- (Rupees ten thousand only), with two sureties for the like sum each to the satisfaction of the arresting police officials, and also on condition that 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 sheet.

8) Accordingly, the Criminal Petition is allowed.

Consequently, miscellaneous applications pending, if any, shall stand closed.

Sd/- U. SRI DEVI
ASSISTANT REGISTRAR

RB

//TRUE COPY//

SECTION OFFICER

To,

1. Station House Officer, Alipiri P.S., Tirupathi urban
2. One CC to SRI. RAMAKRISHNA AKURATHI Advocate [OPUC]
3. Two CCs to Public Prosecutor, High Court of AP [OUT]
4. One spare copy