

[3327]

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

WEDNESDAY, THE NINETEENTH DAY OF APRIL
TWO THOUSAND AND TWENTY THREE

:PRESENT:

THE HONOURABLE SRI JUSTICE K SREENIVASA REDDY

CRIMINAL PETITION NO: 2613 OF 2023

Between:

Marisetti Satish @ Marisetti Veera Venkata Satyanarayana, S/ o. Suryanarayana
(wrongly shown as Satyanarayana), Age 27 Years, R/o. Pidimgoyyi Village,
H.No.2-59,Rajamahendravaram Rural Mandal, East Godavari District.

Petitioner/Accused 2

AND

The State of Andhra Pradesh, Rep. by its Public Prosecutor, High Court of A.P,
Amaravathi

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 enlarge the petitioner/A2 on bail in the event of his arrest in
Cr.No.46/2022, On the file of Special Enforcement Bureau Station,
Rajamahendravaram South.

COUNSEL FOR THE PETITIONER: SRI KADIYAM NEELAKANTESWARA RAO

COUNSEL FOR THE RESPONDENT: PUBLIC PROSECUTOR

THE COURT MADE THE FOLLOWING ORDER

HON'BLE SRI JUSTICE K. SREENIVASA REDDY

Criminal Petition No.2613 of 2023

Order:

This Criminal Petition, under Section 438 Cr.P.C., has been filed by the petitioner/A-2, seeking anticipatory bail, in connection with Crime No.46 of 2022 of Special Enforcement Bureau Station, Rajamahendravaram South, East Godavari district, registered for the offence punishable under Section 7B read with 8B of the A.P. Prohibition (Amendment) Act, 2020.

2. Case of the prosecution, in brief, is that, on 22.02.2023, at about 11.00 AM, the Enforcement Sub-Inspector, Special Enforcement Bureau Station, Rajamahendravaram South, along with his staff and mediators, proceeded to Door No.4-22, beside Durgamma Thalli temple at Cheruvugattu in G. Yerrampalem village of Rajanagaram Mandal and found A-1 in possession of 5 litres of ID liquor. On interrogation, she confessed that she purchased the said ID liquor from A-2. Police seized the contraband under cover of a mediators report and registered a case against the accused.

3. Heard. Perused the record.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he is no way connected with the alleged offence and he is falsely implicated in the present crime based on the confession made by the co-accused.

5. On the contrary, learned Special Assistant Public Prosecutor opposed the petition on the ground that investigation is not completed.

6. A perusal of the record would go to show that no contraband is seized from the possession of the petitioner herein and based on the confession made by the co-accused, the petitioner herein is implicated in the present crime. In view of the aforesaid facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner herein on the following conditions.

7. In the event of arrest of the petitioner herein in the aforesaid crime, he shall be enlarged on bail on his executing a personal bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties of the like sum each to the satisfaction of the concerned Arresting Officer. Petitioner shall cooperate with the investigation and he shall make himself available for interrogation by a police officer as and when required, and he shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer. Petitioner shall appear before the Station House Officer concerned once in a week i.e., on

every Friday between 10.00 AM and 1.00 PM till filing of the charge sheet.

8. The Criminal Petition is, accordingly, allowed.

Sd/- U. SRI DEVI
ASSISTANT REGISTRAR

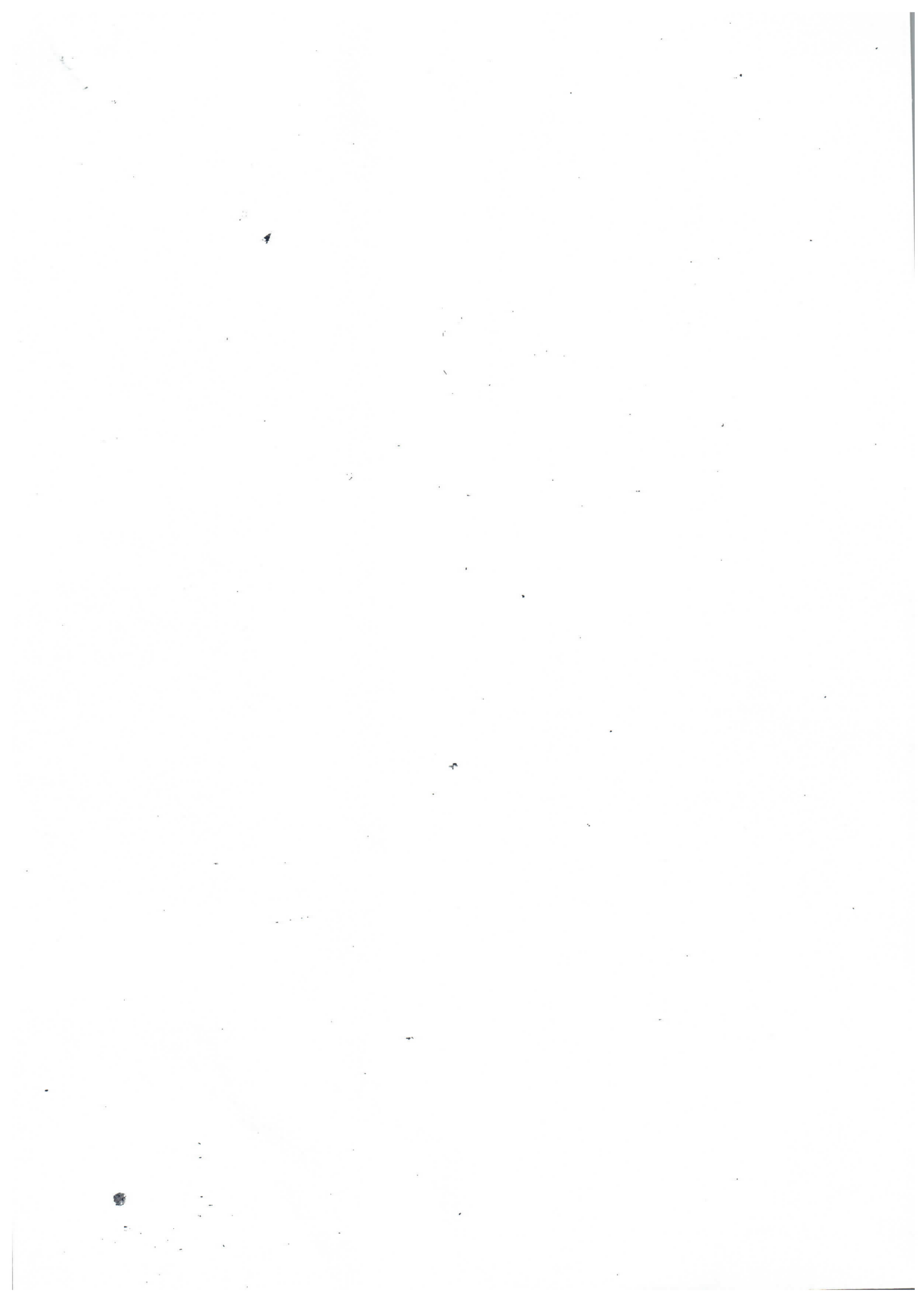
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SECTION OFFICER

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To,

1. The S.H.O, Special Enforcement Bureau Station, Rajamahendravaram South, East Godavari District.
2. One CC to Sri Kadiyam Neelakanteswara Rao Advocate [OPUC]
3. Two CCs to Public Prosecutor, High Court of AP [OUT]
4. One spare copy



HIGH COURT

SRKJ

DATED:19/04/2023

BAIL ORDER

CRLP.No.2613 of 2023

ALLOWED

