



IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

TUESDAY, THE THIRTY FIRST DAY OF JANUARY
TWO THOUSAND AND TWENTY THREE

:PRESENT:

THE HONOURABLE SRI JUSTICE K SREENIVASA REDDY

CRIMINAL PETITION NO: 385 OF 2023

Between:

Suresh, S/o Paul Raj, Aged about 34 years, R/o Rasampalli, H/w, Gudipala village & Mandal, Chittoor District.

...Petitioner/Accused

AND

The State of Andhra Pradesh, Rep By Public Prosecutor, AP High Court
Through Gudipala Police Station House Officer, Chittoor Rural District.

...Respondent/Complainant

Petition under Section 438 of Cr.P.C, praying that in the circumstances stated in the memorandum of grounds filed in Criminal Petition, the High Court may be pleased to enlarge the petitioner/ Accused on Anticipatory bail in the event of arrest/ surrender in respect Cr No 239 of 2022 dated:13.09.2022 on the file of Gudipala Police Station, Chittoor District Under Sections 7 (B) r/w 8 (B) and (34) of AP Prohibition and Excise amendment Act 2020.

The petition coming on for hearing, upon perusing the Petition and the memorandum of grounds filed in support thereof and upon hearing the arguments of Sri Tata Singaiah Goud, Advocate for the Petitioner and Public Prosecutor for the Respondent, the Court made the following;

ORDER:

THE HON'BLE SRI JUSTICE K. SREENIVASA REDDY

CRIMINAL PETITION NO.385 OF 2023

ORDER:-

The Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973, is filed on behalf of the petitioner/Accused to grant anticipatory bail in connection with Crime No.239 of 2022 of Gudipala Police Station, Chittoor.

2) A case has been registered against the petitioner for the offence punishable under Section 7B r/w 8B of the A. P. Prohibition (Amendment) Act and Section 34(a) of A.P. Excise Act.

3) Brief facts of the case are that, on 13.09.2022 at 05.30 p.m., on receipt of credible information, the Sub-Inspector of Police, Gudipala Police Station, along with his staff, reached Mogarallvanka Forest area, Harijanawada, Rasanapalli village and found the accused while he was preparing ID Arrack with FJ wash. On seeing the police party, the accused ran away. The police seized one plastic pot containing 10 liters of ID arrack and destroyed 1000 liters of FJ wash at the spot under the cover of police proceedings.

4) Heard. Perused the record.

5) On perusal of record, it is clear that the petitioner was not secured at the scene of offence. Basing on the police proceedings, a case has been registered against the petitioner and name of the petitioner is said to be figured in the F.I.R.

6) In view of the facts and circumstances of the case, this Court feels that request of the petitioner for grant of anticipatory bail can be considered, however, on conditions.

7) Accordingly, in the event of his arrest in the above said crime, the petitioner 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 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 AM and 1.00 PM till filing of the charge sheet.

8) Accordingly, the Criminal Petition is allowed.

Sd/- M. SRINIVAS
ASSISTANT REGISTRAR

SECTION OFFICER

//TRUE COPY//

For A

To,

1. The Station House Officer, Gudipala Police Station, Chittoor Rural District.
2. One CC to Sri. Tata Singaiah Goud, Advocate [OPUC]
3. Two CC to Public Prosecutor, High Court of AP [OUT]
4. One spare copy.

MSB

HIGH COURT

SRK,J

DATED:31/01/2023

BAIL ORDER

CRLP.No.385 of 2023

ALLOWED

