

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: 495 OF 2023



Between:

Margani Durga Prasad, S/o Paparao, Hindu, aged 26 years, D.No.2-98, Pidimgoyya,
Rajamahendravaram Rural, E.G.Dt., Aadhar No. 3999 7098 1649

...Petitioner/Accused

AND

The State of Andhra Pradesh, Rep. by its Public Prosecutor, High Court of Andhra
Pradesh, At 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 grant anticipatory bail to the petitioner, directing the arresting officer to release him on bail in the event of his arrest in connection with FIR No. 174/2021 of Rajanagaram Police Station

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. PADALA JAYA RAMA KRISHNA Advocate for the Petitioner, and of PUBLIC PROSECUTOR, for the Respondent, The Court made the following

HON'BLE SRI JUSTICE K. SREENIVASA REDDY

Criminal Petition No.495 of 2023

Order:

This Criminal Petition, under Section 438 Cr.P.C., has been filed by the petitioner/ Accused, seeking anticipatory bail, in Crime No.174 of 2021, registered for the offences punishable under Section 7B r/w 8A of the A.P. Prohibition (Amendment) Act No.18 of 2020 by the Rajanagaram Police.

2) Brief facts of the case are that, on 13.3.2021 at about 6.00 P.M., on receipt of information about illicit manufacturing of ID arrack, the Assistant Sub-Inspector of Police, Rajanagaram along with his staff and mediators reached the scene of offence i.e., outskirts of Mallampudi Village and found one person. On seeing police, he ran away into the bushes and escaped from there. The police found one plastic tin containing 15 liters of ID arrack and 200 liters of jaggery wash and on enquiry about the absconded person by the raid party, it came to know that it belongs to accused (the petitioner herein). Then the contraband along with other material were seized and a case was registered against the accused.

3) Heard. Perused the record.

4) On perusal of record, it is clear that the petitioner was not present at the scene of offence. After enquiry, basing on the mediator report drafted at the scene of offence, a case has been registered against the accused. The police did not directly seize the contraband from the possession of the petitioner.

5) In view of the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner.

7) In the event of arrest of the petitioner 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 Sunday between 10.00 AM and 1.00 PM till filing of the charge sheet.

Accordingly, the Criminal Petition is allowed.

Sd/- G. HELA NAIDU
ASSISTANT REGISTRAR

//TRUE COPY//

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SECTION OFFICER

To,

1. The Principal District Judge, Rajamahendravaram, East Godavari District
2. The Station House Officer, Rajanagaram Police Station, East Godavari District
3. One CC to SRI. PADALA JAYA RAMA KRISHNA Advocate [OPUC]
4. Two CCs to PUBLIC PROSECUTOR, High Court of Andhra Pradesh [OUT]
5. One spare copy

PSR

HIGH COURT

SRK,J

DATED:31/01/2023

ANTICIPATORY BAIL ORDER

CRLP.No.495 of 2023

ALLOWED

