

**IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA
PRADESH**

CRIMINAL PETITION No.7395 of 2015

Between:

S.Kuppaiah

.. Petitioner

and

The State of Andhra Pradesh
through Pichatur Police Station
Rep. by its Public Prosecutor
High Court of Judicature at Hyderabad
For the State of Telangana and the State of Andhra Pradesh

.. Respondent

DATE OF ORDER PRONOUNCED: 05.08.2015

SUBMITTED FOR APPROVAL:

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THE HON'BLE SRI JUSTICE M.S.K.JAISWAL

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| 1. Whether Reporters of Local newspapers may be allowed to see the Judgments? | Yes/No |
| 2. Whether the copies of judgment may be marked to Law Reporters/Journals? | Yes/No |
| 3. Whether their Ladyship/Lordship wish to see the fair copy of the Judgment? | Yes/No |

THE HON'BLE SRI JUSTICE M.S.K.JAISWAL

CRIMINAL PETITION No.7395 of 2015

ORDER:

This Criminal Petition is filed under Sec.438 Cr.P.C. seeking anticipatory bail in the event of arrest of the petitioner/A2 in Crime No.25 of 2015 of Pichatur Police Station, Chittoor District, registered for the offences punishable under Sections 379 and 447 IPC and Sections 21(1) and 21(4) of MMDARA Act and Section 26(1) of WALTA Act.

The allegations, in brief, are that on 25.03.2015 at about 5.30 PM near Vengalathur Village, the non-petitioner/A1, who was attached with trailer bearing registration No.AP03 AG 1711, was illegally transporting the sand without any transit pass or valid permit. On enquiry, he confessed that the trailer belongs to A2 and that he is transporting the sand at the instance of A2.

Considering the nature of allegations, it is felt that it is not a fit case where the extraordinary relief of anticipatory bail can be granted to petitioner/A2. Hence, the criminal petition is liable to be dismissed.

In the result, the Criminal Petition is dismissed. However, the petitioner/A2 is at liberty to surrender before the learned Judicial First Class Magistrate, Satyaveedu, and file an application for bail, on such application being filed, the learned Magistrate shall dispose of the same on merits on the same day itself.

Miscellaneous Petitions, pending if any in this Criminal Petition, shall stand closed.

M.S.K.JAISWAL,J

Date: 05.08.2015
MVA

HON'BLE SRI JUSTICE M.S.K. JAISWAL

