

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

CRIMINAL PETITION No.146 of 2015

ORDER:

The petitioner, who is accused No.3, in Crime No.44 of 2013 of Palamaner Police Station, Chittoor District, filed the present application under Section 438 Cr.P.C. seeking release in the event of his arrest in connection with the above crime, registered for the offences punishable under Section 34 (A) of the Andhra Pradesh Excise Act, 1986 read with Rule 3 of the Andhra Pradesh Rectified Spirit Rules, 1971.

The case of the prosecution is that on 20.02.2013 at about 6.00 p.m. while accused Nos.2,4 and 5 were transporting 9,700 litres of rectified spirit in lorry bearing No.PB 08 AU 8593, the police intercepted the same and seized 9700 litres of spirit and also cash of Rs.2,80,000/- from the possession of the accused. It is stated that the petitioner herein, who present at the spot escaped.

Heard learned counsel for the petitioner and learned Public Prosecutor appearing for the respondent-State.

The material on record discloses that accused Nos.2,4 and 5, who were present at the spot were arrested and released on bail. Since the petitioner also stands on the same footing as that of accused Nos.2,4 and 5, the present Criminal Petition is disposed of by directing the petitioner to surrender before the Court concerned and move an application for bail after giving prior notice to the public prosecutor concerned, in which event the same shall be dealt with in accordance with law either on the

same day or atleast by next day.

JUSTICE C. PRAVEEN KUMAR

30.01.2015

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