

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

TUESDAY, THE FOURTH DAY OF AUGUST
TWO THOUSAND AND FIFTEEN

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

CRIMINAL PETITION No.7411 of 2015

Between:

Thigulla Upender

..... PETITIONER/A.3

AND

The State of Telangana, rep.by its
Public Prosecutor High Court,
Hyderabad

.....RESPONDENT

DATE OF JUDGMENT PRONOUNCED: **04.08.2015**

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 wishes to see the fair copy of the Judgment? Yes/No

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

CRIMINAL PETITION No.7411 of 2015

ORDER:

This Criminal Petition is filed under Sec.438 of Cr.P.C. seeking anticipatory bail in the event of arrest of the Petitioner/A3 in Cr.No.621 of 2015 of Vanasthalipuram Police Station, Hyderabad, registered against the Petitioner and others for the offences punishable under Sections 409 and 420 IPC and Section 7 of Essential Commodities Act.

2. The brief facts of the complaint are that on 23.07.2015, while the police performing vehicle checking, near Pallavi Gardens at Chinthalkunta, they found two persons and six plastic cans of blue kerosene in an auto bearing No.AP-28U4376, and on enquiry the non-petitioners/A1 and A2 revealed their identity and confessed that they are purchasing the blue kerosene from A-3, who is the husband of one Danalakshmi, ration shop dealer at Abyudayanagar Colony and also from other shops.

3. The contention of the petitioner is that except the alleged confession made by A1 and A2, there is nothing against him for implicating him as accused in the case, and therefore prayed for anticipatory bail.

4. Heard both the learned counsel and perused the material on record.

5. A perusal of the record clearly shows that the police have red-handedly caught the non-petitioners/accused and the plastic tins of blue kerosene in a running auto. The record also shows that during the course of investigation the other accused clearly confessed about the purchase of kerosene from the petitioner/A3 and other shops. Therefore, having regard to the gravity of the offence, the manner in which it is committed, the surrounding facts and circumstances, and the quantum of kerosene involved in the offence, it is not a fit case to grant anticipatory bail to the Petitioner/A3. There are no merits in the petition and the same is liable to be dismissed.

6. Accordingly, the criminal petition is dismissed. Consequently, the miscellaneous applications pending, if any, shall stand closed accordingly.

M.S.K.JAISWAL,J

Date: 04.08.2015

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

CRIMINAL PETITION No.7411 of 2015
ORDER

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Dt. 04.08.2015

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