

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

CRIMINAL PETITION No.1532 of 2015

ORDER:

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The petitioner, who is A2, filed the present application under Section 438 Cr.P.C., seeking release in the event of his arrest in connection with Crime No.46 of 2015 of Vikarabad Police Station, Ranga Reddy District, registered for the offences punishable under Sections 379 of IPC, Section 3 of PDPP Act and Section 27/35 of WALTA Act.

The case of the prosecution is that A1, who is the driver of the tractor committed theft of sand and transported the same illegally without permission of the competent authorities. It is stated by A1 that the said act was done on the instructions and directions of the petitioner, who is the owner of the vehicle.

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

Learned counsel for the petitioners submits that the petitioner, who is the owner of the tractor is innocent of the offences alleged and the same was done at the instance of one Koteshwara, who is a civil contractor, working in Irrigation Department. Learned Public Prosecutor opposed the application contending that heavy loss is caused to the Government by the acts of the accused in transporting sand without valid permit.

A perusal of the remand report would show that the petitioner herein is the owner of the tractor and nearly three tons of sand was being transported from Gottimukkula Village to Vikarabad causing wrongful loss to the Government exchequer.

Further, it cannot be said that the petitioner has no knowledge about the commission of offences as he was not present at the time of the incident. Hence, I am not inclined to grant anticipatory bail to the petitioner.

However, the petitioner, if so advised, shall surrender before the appropriate Court and make an application for bail, after giving prior notice to the learned Public Prosecutor, in which event, the same shall be dealt with, in accordance with law, at the earliest.

Accordingly, the criminal petition is disposed of.

C. PRAVEEN KUMAR, J

04.03.2015

vhb

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