

HONOURABLE Dr. JUSTICE B.SIVA SANKARA RAO
CRIMINAL PETITION No.7425 of 2015

ORDER :

This Criminal Petition is filed by the Petitioner/Accused No.3 under Section 482 Cr.P.C seeking to quash the proceedings in Crime No.143 of 2015 of LMD Colony Police Station, Karimnagar District registered for the offence punishable under Section 9(B)(1)(b) of Explosives Act, 1884.

2) It is the case of the prosecution that on 07.07.2015 on reliable information the Bolero Camper vehicle which in fact belongs to A-3 and as can be seen from the disclosure statement of A-2 the vehicle bearing No.AP 15 TC 5641 allegedly taken on lease by A-2 who is dealing in explosives without licence that is while transporting in the modus operandi driving of A-1 that was allegedly inspected as referred supra, the crime is registered against A-3 also. It is the contention of the learned counsel for the petitioner that even from the so called disclosure statements of A-2 and A-3 during investigation may be admissible in furtherance of investigation, leave about its evidentiary value during trial, itself is suffice to say A-3 is neither owner nor the person concerned with the so called clandestine without licence of the explosives including any transport and thereby the F.I.R is liable to be quashed.

3) Undisputedly, the crime registered is under investigation which is in progress as submitted by the

learned Public Prosecutor, thereby the facts falls short for this Court to admit and quashing of F.I.R but for to say any material including the ownership of the vehicle, if in the name of A-3 the same shall be submitted to the investigating officer to consider as part of investigation and from the factual matrix, as the petitioner/A-3 is entitled to the concession of bail, this petition is disposed of giving liberty to the petitioner to surrender before the learned Magistrate and move a regular bail application with notice to the A.P.P concerned and the learned Magistrate by virtue of this order, shall consider and grant bail on the same day with necessary conditions.

4) With the above observations, the Criminal Petition is disposed of. Consequently, the miscellaneous petitions, if any pending, shall stand closed.

Dr. B. SIVA SANKARA RAO, J

Dt.20th August, 2015

KSH