

**THE HON'BLE SRI JUSTICE RAJA ELANGO**  
**CRIMINAL PETITION No.9088 of 2016**

**ORDER:**

This Criminal Petition is filed by the petitioner-accused No.3 under Section 438 Cr.P.C. seeking anticipatory bail in Crime No.122 of 2014 on the file of Ambajipeta Police Station, East Godavari District, registered for the offence punishable under Section 120-B r/w.34 IPC and 27 of Arms Act.

Heard and perused the material available on record.

The case of the prosecution is that A1 was arrested under suspicious circumstances and he was in possession of deadly weapon and when questioned by the police, he stated that he hatched a plan to kill one Kothapally Vinay with the help of other accused.

When the matter is taken up for hearing, learned Additional Public Prosecutor submitted that Garapati Durga Suresh @ Suresh i.e. the petitioner herein, is not an accused in Crime No.122 of 2014, and in fact one Suresh Kumar is an accused and that the police are not in search of the petitioner herein and hence, there is no apprehension of arrest of the petitioner in the above crime.

In view of the submission of the learned Additional Public Prosecutor that there is no apprehension of arrest of the petitioner i.e. Garapati Durga Suresh @ Suresh in Crime No.122 of 2014 of Ambajipeta Police Station, East Godavari District, this Criminal Petition is disposed of.

Miscellaneous petitions, pending if any, shall stand closed.

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**RAJA ELANGO, J**

**July 01, 2016.**  
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