

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

CRIMINAL PETITION NO.10351 of 2016

ORDER :

The petitioner, who is accused No.2, filed present Criminal Petition under Section 438 Cr.P.C. seeking release in the event of his arrest in connection with Crime No.140 of 2016 of Balanagar Police Station, Mahaboobnagar District, registered for the offences punishable under Section 379 IPC, 21 (1) of THE Mines and Minerals (Development and [Regulation](#)) Act, 1957 AND Section 3 of the Prevention of Damage to Public Property Act.

The case of the prosecution is that on 27.06.2016 while conducting vehicle check the police party found one lorry bearing No. AP 27 TT 3888 with a load of sand. The driver of the lorry did not show way bills issued by the competent authority towards transport of sand. He is alleged to have confessed that the sand was transported illegally at the instance of the petitioner. Basing on these allegations the above case came to be registered.

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

Learned counsel for the petitioner submits that the petitioner was not present in the vehicle at the time of transporting the sand and the said lorry was misused by his driver.

Having regard to the facts and circumstances stated above, the petitioner shall surrender before the Court concerned and move an application for bail before the Court concerned, in which event the same shall be considered on such terms and conditions as the Court deems fit and proper, on the same day.

Accordingly, the Criminal Petition is disposed of.

JUSTICE C. PRAVEEN KUMAR

22.07.2016

gkv