

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

CRIMINAL PETITION No.10214 OF 2016

ORDER:

Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor. Perused the material on record.

2. The present Criminal Petition came to be filed by the petitioner/A.2 under Section 438 Cr.P.C., seeking release in the event of his arrest in Crime No.224 of 2016 of Bodhan, Nizamabad District, registered for the offences punishable under Sections 379, 427 IPC, Section 21(1) MMDR Act, and Sections 3 & 4 of PDPP Act.

3. The case of the prosecution is that on 03.07.2016 at 7:00 A.M., on credible information, Inspector of Police, Bodhan, along with his staff, proceeded towards Bellal road and apprehended a Tipper bearing No.TS 16 UA 3738, driven by its driver, while it was transporting sand without any valid permit. On enquiry, he confessed that he was transporting sand from Manjeera River of Kopperge to Nizamabad, on the instructions of his owner i.e., petitioner herein. Basing on these allegations, the present crime came to be registered.

4. Learned counsel for the petitioner submits that the allegations made in the report are all false and basing on the confessional statement of A.1, he was falsely implicated in this case.

5. Learned Additional Public Prosecutor opposed the same.

6. A perusal of the material on record would show that A.1,

who is working under the petitioner, has confessed the act of transportation of sand on the instructions of his owner i.e., petitioner. Admittedly, the vehicle belongs to the petitioner. In view of the above, I am not inclined to grant bail to the petitioner. However, the petitioner shall surrender before the concerned Court and move an application for bail after giving prior notice to the Public Prosecutor, in which event the same shall be dealt with, in accordance with law, as early as possible, preferably on the same day.

7. Accordingly, the Criminal Petition is disposed of.

JUSTICE C. PRAVEEN KUMAR

Date:21.07.2016

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