

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

CRIMINAL PETITION No.11712 OF 2016

ORDER:

Heard the learned counsel for the petitioner and the learned Public Prosecutor.

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.132 of 2016 of Balanagar Police Station, Mahaboobnagar District, registered for the offences punishable under Sections 379 IPC, Section 21(1) MMDAR Act and Section 3 of the PDPP Act.

3. The case of the prosecution is that on 17.06.2016 while the police officials conducting check at Balanagar X roads on NH 44, intercepted the lorry belonging to the petitioner which was coming from Jadcherla loaded with sand. On questioning the driver about illegal transportation of the sand and having any valid permit, he failed to produce the same. Basing on these allegations, the present case came to be registered.

4. Learned counsel for the petitioner submits that the averments in the report are all false and invented for the purpose of this case. Since A.1 was already released on bail on 30.06.2016, he seeks release of the petitioner on bail.

5. Learned Public Prosecutor opposed the same.

6. Having regard to the facts and circumstances of the case and the nature of offences alleged, I am not inclined to grant anticipatory 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 considered on the same day and on such terms and condition as the Court below thinks fit and proper.

7. Accordingly, the Criminal Petition is disposed of.

JUSTICE C. PRAVEEN KUMAR

Date:12.08.2016
INL