

HON' BLE SRI JUSTICE U. DURGA PRASAD RAO

CrI.P. No. 1595 of 2017

ORDER:-

This Criminal Petition is filed under Section 438 Cr.P.C. by the petitioner –A3 seeking anticipatory bail.

2) In Crime No. 115 of 2016 of Garla Bayyaram Police Station, Khammam District, the accusation against him and others is under Section 5 of Explosives Substance Act.

3) As per the prosecution, on 20.09.2016, the police along with mediators intercepted Bazaz Diesel Auto bearing No. TSO3 UA 1713 driven by the petitioner – A1, and on inspection, they found 150 detonators and other explosive substances in a plastic box and in a black polythene cover. A1 allegedly revealed that A2 engaged his Auto and asked him to handover the explosive substances to the petitioner - A3. He also allegedly gave Cell number of the petitioner – A3. On such statement, the police registered a case in Cr.No. 115 of 2016.

4) Heard the learned counsel for both the parties.

5) The learned counsel for the petitioner would submit that except the alleged statement of A1, there is nothing to connect the petitioner – A3 to the offence. He would further submit that the petitioner is a respectable

businessman and he has nothing to do with the alleged offence and on this submission he sought for bail.

6) The learned Additional Public Prosecutor would submit that the investigation is in the crucial stage and so far only two witnesses are examined and the investigation officer is trying to get the particulars of owner of the Cell phone provided by A1, and as such, the petition be dismissed.

7) Having regard to the fact that huge quantity of explosive substances were recovered from the possession of A1 and he gave the particulars of A2 and A3, and he also gave the particulars of Cell No. 9494745454, and further, the investigation is under progress and the owner of the said cell number has to be traced out, this Court is of the considered view that it is not a fit case to grant anticipatory bail to the petitioner –A3 at this stage.

8) Accordingly, the Criminal Petition is dismissed.

U. DURGA PRASAD RAO, J

02.03.2017

bcj