

THE HON'BLE SRI JUSTICE T.SUNIL CHOWDARY
CRIMINAL PETITION NOS.6068 AND 6072 OF 2017

COMMON ORDER:

Petitioners, who are A17 and A18 in Cr.No.179 of 2017, on the file of Station House Officer, Matampally Police Station, Suryapet District, registered for the offences punishable under Sections 420 IPC and 7 of Essential Commodities Act, filed these petitions under Section 438 Cr.P.C. seeking anticipatory bail.

2. Heard the learned counsel for the petitioners. Learned Additional Public Prosecutor, representing the State of Telangana opposed the bail applications.

3. The case of the prosecution is that on 28-06-2017 at about 5.30 p.m., the de facto complainant intercepted Scorpio vehicle bearing No. AP 10 AR 4003 and seized 20 bags of PDS rice. It is the further case of the prosecution that the petitioners herein along with other accused were purchasing the PDS rice from different card holders and selling the same in the open market for higher price. The gist of the allegations made in the complaint is that the petitioners indulged in black-marketing.

4. Learned counsel for the petitioners submitted that the names of the petitioners are not mentioned in the FIR. Mere non-mentioning of the names of the accused in the FIR by itself is not a valid ground to grant anticipatory bail without taking into consideration the other aspects. A perusal of the record reveals that the petitioners were purchasing the rice from different customers and selling the same for higher price in the open market, which is not permissible under law. The record *prima facie* reveals that

accused no.8, who is the owner of the vehicle, knowing fully well about the business of other people, allowed his vehicle for transportation of PDS rice.

5. Learned Additional Public Prosecutor submitted that A1 to A11 were arrested and subsequently they were released on regular bail. He further submitted that the other accused are absconding from the date of the alleged incident.

6. Taking into consideration the nature of the offences alleged to have been committed by the petitioners, I am of the considered view that the petitions do not deserve the relief sought for.

7. Accordingly, the Criminal Petitions are dismissed.

DATED:23-08-2017.

Hsd

T.SUNIL CHOWDARY, J

