

THE HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

CRIMINAL PETITION NO.6052 OF 2017

ORDER:

Petitioners, who are A3 and A4 in Cr.No.97 of 2016, on the file of Station House Officer, Keesara Police Station, Cyberabad, Malkajgiri District, registered for the offences punishable under Sections 379 IPC and 35 of WALTA Act, filed this petition 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 application on the ground that investigation is pending.

3. The case of the prosecution is that on 22-03-2016, the petitioners were transporting filter sand in their lorries from the Government land without any permission or right. The gist of the allegations made in the complaint is that the petitioners along with other accused committed theft of filter sand.

4. A perusal of the record reveals that the learned XVI Additional District and Sessions Judge-cum-XVI Additional Metropolitan Sessions Judge, Ranga Reddy District at Malkajgiri, dismissed CrI.M.P.No.748 of 2016 on 29-04-2016 and CrI.M.P.No.2587 of 2017 on 13-07-2017, filed by the petitioners under Section 438 Cr.P.C. seeking anticipatory bail.

5. A perusal of the record reveals that the petitioners, who are owners of the lorries bearing Nos. AP 10T-3332 and AP 28V-2242, were transporting filter sand

without any permission or right whatsoever. A perusal of the record reveals that the investigation is still in progress.

6. Taking into consideration the nature of the offences alleged to have been committed by the petitioners and the stage of investigation, I am of the considered view that it is not a fit case to grant bail to the petitioners at this stage.

7. Accordingly, the Criminal Petition is dismissed.

T.SUNIL CHOWDARY, J

DATED:23-08-2017.

Hsd

