

THE HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

CRIMINAL PETITION No.6859 of 2017

ORDER:

This criminal petition is filed by the sole accused, under Section 438 of Cr.P.C., to grant pre arrest bail in C.O.R.No.73 of 2017 on the file of the Station House Officer, Hanamkonda Prohibition & Excise Station, Warangal District, for the offences punishable under Sections 7(A) read with 8(e) of A.P. Prohibition Act, 1995.

2. The learned counsel for the petitioner submitted that the petitioner is an illiterate person; therefore, she did not issue reply to the show cause notice dated 17.5.2017. He further submitted that the petitioner was falsely implicated in this case; therefore, it is a fit case to grant pre arrest bail to the petitioner. *Per contra*, learned Additional Public Prosecutor representing the State submitted that the investigation is in progress; therefore, it is not a fit case to grant pre arrest bail to the petitioner.

3. The prosecution case is that on 07.4.2017, the Excise Officials of Hanamkonda seized ten litres Illicitly Distilled (I.D.) liquor contained in 100 polythene covers and drew samples. After completion of necessary formalities, the Sub-Inspector of Police, Prohibition & Excise Station, Hanamkonda, registered the above case.

4. A perusal of the record reveals that the Excise Officials issued notice dated 17.5.2017 directing the petitioner to show cause why she should not be punished for involving in the present case committing breach of bond executed by him. The petitioner had not given any reply to the show cause notice. The learned Additional Public Prosecutor, on instructions, submitted that the petitioner is an accused in C.O.R.

No.510/14, 510/15, 614/16 and 98/16. A perusal of the record *prima facie* reveals that the petitioner is a habitual offender.

5. Taking into consideration the facts and circumstances of the case and also the stage of investigation, this court is of considered view that this is not a fit case to grant pre arrest bail to the petitioner.

6. Hence, the criminal petition is dismissed.

T.SUNIL CHOWDARY, J

September 01, 2017
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