

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

Criminal Petition No.10644 of 2017

ORDER:

This Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973, is filed by the petitioner/accused No.1, for grant of anticipatory bail in the event of his arrest in Crime No.495 of 2017 on the file of the Ibrahimpatnam Police Station, Rachakonda Commissionarate, registered for the offence punishable under Section 397 of I.P.C.

2. Heard the learned counsel for the petitioner/accused No.1, learned Additional Public Prosecutor representing the respondent-State and perused the record.

3. The material on record reveals that in the early hours of 19.10.2017, petitioner/accused No.1 met his associates, brought a DCM Van and when the said DCM Van was proceeding towards Mallapur via Hayathnagar through Dandumailaram and reached the outskirts of Dandumailaram village, police have inspected the Van and found 88 number of HDPE (Plastic) Pipes. Pursuant to the confession of accused No.2 to accused No.9, the police seized the DCM Van and 88 number of HDPE (Plastic) Pipes and cell phones. The petitioner/accused No.1 is the main person for committing the theft of the said pipes belonging to 'Mission Bhageeratha Project'. The allegations are grave. It is not a fit case to grant bail under Section 438 of Cr.P.C.

4. Having regard to the submissions made by the learned counsel for both sides, the petitioners/accused No.1 is directed to surrender

before the Magistrate concerned and file an application for grant of regular bail; and, the learned Magistrate concerned is directed to dispose of the said bail application, on merits, in accordance with the law, expeditiously.

5. With the above observation, the Criminal Petition is dismissed.

Miscellaneous petitions, if any, pending in this Criminal Petition, shall stand closed.

Dr. SHAMEEM AKTHER, J

10th November, 2017
Bvv

