

**HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH**

MONDAY, THE TWENTY SEVENTH DAY OF NOVEMBER,
TWO THOUSAND AND SEVENTEEN

:PRESENT:
THE HON'BLE DR. JUSTICE SHAMEEM AKTHER

CRL.P .No. 11098 of 2017

Between:

- 1 Ambavarapu @ Ambarapu Subrahmanyam, S/o Chinna Venkana, aged 48 years, Occ: Business, R/o Komarolu Village and Mandal, Prakasam District.
- 2 Yeluri @ Eluri Ramanaiah, S/o Chinna Subbaiah, aged 44 years, Occ: Business, R/o Gonepalli Village, Komarolu Mandal, Prakasam District.
- 3 Ramayanapu Venkateswarlu, S/o Subbarayudu, aged 42 years, Occ: Business, R/o Komarolu Village ad Mandal, Prakasam District.

..... Petitioners/
Accused 2, 4 & 5

AND

State of Andhra Pradesh, Rep. by its Public Prosecutor, High Court of Judicature at Hyderabad for the State of Telangana and the State of Andhra Pradesh, Hyderabad.

.....Respondent

Petition under Section 438 of Cr.P.C. praying that in the circumstances stated in the petition filed herein, the High Court may be pleased to grant Anticipatory Bail to them by directing the Police to release them on bail, in the event of their arrest in connection with Crime No.79 of 2017 of Komarolu Police Station in the interests of justice.

The petition coming on for hearing, upon perusing the Petition filed in support thereof and upon hearing the arguments of Sri Nimmagadda Satyanarayana, Advocate for the petitioners and of the learned Additional Public Prosecutor (AP) for the respondent-State, the Court made the following

ORDER:

“This Criminal Petition, under Section 438 of Cr.P.C., is filed by the petitioners/accused Nos.2, 4 and 5, seeking anticipatory bail in the event of their arrest in connection with F.I.R. No.79 of 2017, on the file of Komarolu Police Station, Prakasam District, registered for the offence under Section 34(A) of the A.P. Excise Act.

Heard the learned counsel for the petitioners/accused Nos.2, 4 and 5, learned Additional Public Prosecutor appearing for the respondent-State, and perused the record.

The specific accusation against the petitioners is that A.1 purchased liquor from these petitioners in huge quantities and while selling them at his village Chinthalapalli, without any license, was caught by the Police and, during the course of his interrogation, confessed the commission of offence along with other accused in this case.

As per the material on record, the petitioners herein are having licenses to sell the liquor through their shops. In the remand report of A.1, there is a mention that the liquor was purchased from un-known persons.

Under these circumstances, the petitioners/accused Nos.2, 4, and 5 can be enlarged on bail on some conditions. Accordingly, the petitioners/accused Nos.2, 4 and 5 are directed to surrender themselves before the Station House Officer, Komarolu Police Station, Prakasam district, within 15 days from the date of this order and on such surrender, the said Station House Officer shall release the petitioners/accused Nos.2, 4 and 5 on bail, on each of them executing a personal bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties for a like sum each to the satisfaction of the said Station House Officer. On release, the petitioners/accused Nos.2, 4 and 5 are directed to attend before the Station House Officer, Komarolu Police Station, on every Sunday between 10:00 and 11:00 a.m. till filing of charge sheet. Further, the petitioners/accused Nos.2, 4 and 5 are also directed to abide by the conditions mentioned under Section 438(2) Cr.P.C. and shall co-operate with the Investigation Officers.

Accordingly, with the above directions, the Criminal Petition is allowed.

In consequence, miscellaneous petitions, if any, pending in this Criminal Petition shall stand closed.”

//TRUE COPY//

ASSISTANT REGISTRAR

For ASSISTANT REGISTRAR

To

- 1 The Additional Judicial Magistrate of First Class, Giddalur, Prakasam District.
- 2 The Station House Officer, Komarolu Police Station, Prakasam District.
- 3 One CC to Sri Nimmagadda Satyanarayana, Advocate (OPUC)
- 4 Two CCs to Public Prosecutor (AP), High Court of Judicature at Hyderabad.
(OUT)
- 5 One spare copy.

HIGH COURT

DR.SA,J

DATE: 27-11-2017

ORDER

CRL.P. NO. 11098 OF 2017

DIRECTION



HIGH COURT

Nnr

Date of Drafting: 28-11-2017

DR.SA,J

DATE: 27-11-2017

ORDER

CRL.P. NO. 11098 OF 2017

DIRECTION

