

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

Criminal Petition No.10351 of 2017

ORDER:

This Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973, is filed by the petitioners/accused Nos.1 and 2, for grant of anticipatory bail in the event of their arrest in Crime No.30 of 2017 on the file of the Gajulamandyam Police Station, Tiurpati Urban, Tirupati District, registered for the offences punishable under Sections 379 of I.P.C., Section 21(4) of The Mines and Minerals (Development & Regulation) Act, 1957 and Section 26(1) of the A.P. Water, Land and Trees Rules, 2004.

2. Heard the learned counsel for the petitioners/accused Nos.1 and 2, learned Additional Public Prosecutor representing the respondent-State and perused the record.

3. The specific allegation made against the petitioners/accused Nos.1 and 2 is that the petitioner/accused No.1 is the owner and the petitioner/accused No.2 is the driver of the JCB bearing registration No.AP 03 AZ 4639 and they were illegally transporting the sand from Swarnamukhi River near Tandlam village. The said JCB was seized on a report and a case was registered and the investigation is under progress.

4. Having regard to the submissions made by the learned counsel for both sides, the petitioners/accused Nos.1 and 2 are directed to surrender before the learned V Additional Judicial Magistrate of First Class, Tirupati, and file an application for

grant of regular bail; and, the learned V Additional Judicial Magistrate of First Class, Tirupati, may consider the said bail application in accordance with the law, expeditiously.

5. With the above direction, the Criminal Petition is disposed of.

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

Dr. SHAMEEM AKTHER, J

03rd November, 2017
Bvv

