

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

TUESDAY, THE FOURTEENTH DAY OF NOVEMBER,
TWO THOUSAND AND SEVENTEEN

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

CRLP .No. 10728 of 2017

Between:

Tanveer Pasha, S/o. late Ather Pasha,
Aged about 45 yrs., R/o. Janwada Village,
Shankerpally Mandal, Ranga Reddy District.

..... Petitioner/
Accused No.2

AND

The State of Telangana, rep. by its Public Prosecutor, High Court of Judicature at
Hyderabad for the State of Telangana and the State of A.P.

.....Respondent/
Complainant

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 direct the Station House Officer, Moinabad Police Station, Hyderabad District, to release the petitioner/accused No.2 on bail in the event of his arrest in connection with Crime No.345 of 2017 of Moinabad Police Station, Hyderabad District, in the interest of justice.

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

ORDER:

“Heard learned counsel for the petitioner/A.2 and learned Additional Public Prosecutor for the respondent State, and perused the record.

This petition is filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner/A.2 in Crime No.345 of 2017 of Moinabad Police Station, Hyderabad, for the offences punishable under Sections 273, 188 and 420 IPC read with Section 34 IPC and Section 3(m) and 20(ii) of COPTA Act, 2003.

It is alleged that 25 big white bags of gutka worth Rs.5,00,000/- were being transported to Hyderabad by lorry bearing No.AP28 TC 2750, belonging to the petitioner/A.2. Learned counsel for the petitioner/A.2 would submit that except the offence punishable under Section 420 IPC, other offences are bailable and that the provisions of Section 420 IPC are not applicable to the case on hand. Further, the petitioner/A.2, lorry owner, has no knowledge with regard to the alleged transportation of 25 bags of gutka by his lorry. It is brought to the notice of this Court that A.1, A.3 and A.4 were granted regular bail. Having regard to the submissions made by both the sides, the petitioner/A.2 can be enlarged on bail under Section 438 Cr.P.C. on some conditions.

In the result, the Criminal Petition is allowed, directing the petitioner/A.2 to surrender before the Station House Officer, Moinabad Police Station, Hyderabad, within 15 days from the date of this order. On such surrender, the said Station House Officer shall enlarge the petitioner/A.2 on bail on his executing a personal bond of Rs.10,000/- (Rupees Ten Thousand only) with two sureties for a like sum each to his satisfaction. On such release, the petitioner/A.2 shall abide by the conditions mentioned in Section 438(2) Cr.P.C. Further, he shall attend before the said Station House Officer on every Sunday between 9.00 and 10.00 a.m. till filing charge sheet.”

ASSISTANT REGISTRAR

//TRUE COPY//

For ASSISTANT REGISTRAR

To

- 1 The III Additional District & Sessions Judge, Ranga Reddy District at LB Nagar.
- 2 The XXIII Metropolitan Magistrate, Cyberabad at Rajendranagar.
- 3 The Station House Officer, Moinabad Police Station, Hyderabad District.
- 4 One CC to Sri Ramakrishna Akurathi, Advocate (OPUC)
- 5 Two CCs to Public Prosecutor (TG), High Court of Judicature at Hyderabad. (OUT)
- 6 One spare copy.



HIGH COURT

DR.SA,J

DATE: 14-11-2017

ORDER

CRL.P. NO. 10728 OF 2017

DIRECTION



HIGH COURT

Nnr

Date of Drafting: 14-11-2017

DR.SA,J

DATE: 14-11-2017

ORDER

CRL.P. NO. 10728 OF 2017

DIRECTION

