

**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**

CRIMINAL PETITION No. 10715 of 2017

Between:

Kuldeep Sharma @ Bunty, S/o. Satpal Sharma

Petitioner

(Accused No.5 in Cr.No.136/2017
of Kanchikacherla P.S., Krishna District)

AND

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

Respondent/Complainant

Petition under Section 438 of Cr.P.C. praying that in the circumstances stated in the grounds filed herein, the High Court may be pleased to release the petitioner on bail in the event of his arrest in Crime No. 136/2017 dated. 03-09-2017 of Kanchikacherla Police Station, Krishna District.

The Petition coming on for hearing, upon perusing the petition and the grounds filed herein and upon hearing the arguments of Sri Balantha Devadass, Advocate for the Petitioner and of the Addl. Public Prosecutor (AP) for the Respondent, the Court made the following

ORDER:

“ This Criminal Petition is filed by the petitioner/A.5 under Section 438 of Cr.P.C. to grant him anticipatory bail in Crime No.136 of 2017 of Kanchikacherla Police Station, Krishna District, registered for the offences punishable under Sections 269, 270, 271, 273, 420, 418 I.P.C. r/w Section 34 I.P.C. and Sections 5 and 22 of the Cigarettes and Other Tobacco Products Prohibition Advertisement and Regulation, Trade, Production, Supply and Distribution Act, 2003.

2. Heard the learned counsel for the petitioner-A.5, and the learned Additional Public Prosecutor appearing for the respondent-State, apart from perusing the material available on record.

3. It is submitted by the learned counsel for the petitioner-A.5 and the learned Additional Public Prosecutor that except the offence under Section 420 I.P.C., the other offences are bailable. The learned counsel for the petitioner-A.5 would submit that as per the record, there is no application of Section 420 I.P.C., this is inserted in order to harass the petitioner-A.5. It is brought to the notice of this Court that A.1 to A.3 in this case were granted regular bail. Under these circumstances, it is a fit case to grant anticipatory bail to the petitioner-A.5 under Section 438 Cr.P.C.

4. In the result, the petitioner-A.5 is directed to surrender before the Station House Officer, Kanchikacherla Police Station, Krishna District, within a period of 15 days from today, in Crime No.136 of 2017. On such surrender, the Station House Officer, Kanchikacherla Police Station, Krishna District, shall release the petitioner-A.5 on bail on petitioner-A.5 executing a personal bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties each for a like sum to the satisfaction of the same S.H.O. On release, the petitioner-A.5 shall abide by the conditions mentioned in Section 438(2) Cr.P.C. and cooperate with the investigating officer. The petitioner-A.5 shall also attend before the Station House Officer, Kanchikacherla Police Station, on every Sunday between 9-00 a.m. and 10-00 a.m. till filing of the charge sheet.

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5. Accordingly, this Criminal Petition is allowed. As a sequel, miscellaneous petitions, if any, pending in this Criminal Petition shall stand closed.”

ASSISTANT REGISTRAR

// TRUE COPY //

for ASSISTANT REGISTRAR

To

1. The Additional Judicial First Class Magistrate, Nandigama, Krishna District.
2. The SHO, Kanchikacherla Police Station, Krishna District.
3. Two CCs to the Public Prosecutor (AP), High Court, Hyd(OUT)
4. One CC to Sri Balantha Devadass, Advocate(OPUC)
5. One spare copy.

SAH



HIGH COURT

Dr.SAJ

DATED: 14-11-2017

ORDER

CRL.P.NO. 10715 OF 2017



ANTICIPATORY BAIL

DRAFTED BY: SAH
APPROVED BY:
DRAFTED ON: 16-11-2017

HIGH COURT

Dr.SAJ



DATED: 14-11-2017

ORDER

CRL.P.NO. 10715 OF 2017

ANTICIPATORY BAIL