

THE HON'BLE SMT JUSTICE T. RAJANI

CRIMINAL PETITION No.12245 of 2017

ORDER:

This petition is filed under Section 438 Cr.P.C. seeking for grant of anticipatory bail to the petitioner, who is A2 in Crime No.148 of 2016 on the file of the Thondangi Police Station, East Godavari District.

2. The offence alleged against the petitioner is under Section 409 IPC.

3. Heard learned counsel for the petitioner and the learned Public Prosecutor appearing for the respondent-State.

4. Learned counsel for the petitioner submits that the name of the petitioner is not mentioned in the report and the allegation is that A1 with the help of this petitioner-A2 manipulated the bio-metric system and coercive actions have been taken, by making fake ration cards. He further submits that Section 409 IPC is not attracted to the facts of the case.

5. But the learned Public Prosecutor submits that the petitioner is an agent, for which the learned counsel for the petitioner submits that A2 is not the agent and wife of A2 is the agent. Hence, unless the investigation is completed and things come out as to the nature of involvement of this petitioner and his wife, it cannot be said that Section 409 IPC does not attract to the facts of the case.

6. In the light of the above, this Court is of the opinion that it is not a fit case to grant bail to the petitioner under Section 438 Cr.P.C.

7. Accordingly, the Criminal Petition is dismissed. As a sequel, miscellaneous petitions, if any pending, in this petition shall stand closed.

T. RAJANI, J

DATED: 28-12-2017

Hsd

