

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

WEDNESDAY, THE SEVENTH DAY OF FEBRUARY,
TWO THOUSAND AND EIGHTEEN
: PRESENT:

THE HON'BLE SMT JUSTICE **T.RAJANI**

CRIMINAL PETITION No. 308 of 2018

Between:

M.Krishnamurthy Reddy @ M.Krishnamurthy, S/o. Govinda Reddy @ Govinda Modaliar

Petitioner

(Accused No.1 in Cr.No.92/2017
of Varadaiahpalem P.S., Chittoor Dist)

AND

The 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.

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 direct the Station House Officer, Varadaiahpalem Police Station, Chittoor District, to release the petitioner/accused No.1 on bail in the event of his arrest in connection with crime No. 92/2017 of Varadaiahpalem Police Station, Chittoor District.

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

ORDER:

“ This Criminal Petition is filed **seeking** for grant of anticipatory bail to the petitioner, who is accused No.1, in Crime No.92 of 2017 on the file of the Station House Officer, Varadaiahpalem Police Station, Chittoor District. The offences alleged are under Sections 447 and 379 of I.P.C. and Section 21(1)(4) of the Mines and Minerals (Development and Regulation) Act, 1957.

2. Heard the learned counsel for the petitioner, learned Public Prosecutor appearing for the respondent-State, and perused the record.

3. As per the case of the prosecution, petitioner is the owner of the vehicles in which red gravel was being transported. But, the learned counsel for the petitioner submits that this petitioner is not at all owner of the vehicles and the real owner has taken *interim* custody of the vehicles by filing appropriate petitions before the concerned Court.

4. Hence, from the above, *prima-facie*, the case of the prosecution does not get support. Hence this Court opines that this is a fit case for grant of anticipatory bail to the petitioner. Accordingly, the Criminal Petition is allowed. The petitioner/accused is directed to surrender before the Station House Officer, Varadaiahpalem Police Station, Chittoor District, within 15 days from the date of this order. On such surrender, the petitioner/accused shall be released on bail on condition of his executing a personal bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties for a like sum to the satisfaction of the said Station House Officer. Further, on such release, the petitioner/accused shall abide by the conditions mentioned under Section 438(2) Cr.P.C., as under:

- 1) The petitioner shall make himself available for interrogation by a police officer as and when required;
- 2) The petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer; and

..2..

**3) The petitioner shall not leave India without the previous permission of the Court.
As a sequel, the miscellaneous applications, if any pending, shall stand closed.”**

ASSISTANT REGISTRAR

// TRUE COPY //

for ASSISTANT REGISTRAR

To

1. The Judicial First Class Magistrate, Sathyavedu, Chittoor District.
2. The SHO, Varadaiahpalem Police Station, Chittoor District.
3. Two CCs to the Public Prosecutor (AP), High Court, Hyd(OUT)
4. One CC to Sri D.Purna Chandra Reddy, Advocate(OPUC)
5. One spare copy.

SAH



HIGH COURT

TRJ

DATED: 07-02-2018

ORDER

CRL.P.NO. 308 OF 2018



ANTICIPATORY BAIL

DRAFTED BY: SAH
APPROVED BY:
DRAFTED ON: 08-02-2018

HIGH COURT

TRJ



DATED: 07-02-2018

ORDER

CRL.P.NO. 308 OF 2018

ANTICIPATORY BAIL