

SMT JUSTICE T.RAJANI

CRIMINAL PETITION NO.517 OF 2018

ORDER:

This Criminal Petition is filed seeking for grant of anticipatory bail to the petitioner, who is A-2 in Crime No.303 of 2017 on the file of the Station House Officer, Jammalamadugu (Urban) Police Station, Y.S.R.Kadapa District. The offences alleged are under Sections 188 and 379 of the Indian Penal Code and under Section 3(2) of the PDPP Act.

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

Counsel for the petitioner submits that this petitioner is not the owner of the lorry and the driver made a confession mentioning the name of the owner of the lorry.

A perusal of the confessional statement shows that the driver did not mention the name of the owner as that of this petitioner and he neither mentioned the name of any owner.

Learned Public Prosecutor submitted that the statement given by the owner of the lorry, itself shows that he hired the lorry to this petitioner and the petitioner engaged the lorry for transporting sand.

Considering the facts and circumstances and nature of allegations, this Court opines that it is not a fit case for grant of anticipatory bail to the petitioner. However, the petitioner-A2 can surrender before the Court concerned and seek regular bail. On such surrender, the concerned Court is directed to consider the

bail application of the petitioner on merits and in accordance with law, on the same day subject to the regular pressure of work.

With the above observation, this Criminal Petition is dismissed. Miscellaneous petitions, if any, pending shall stand dismissed.

(T.RAJANI, J)

1st February 2018
RRB

