

SMT. JUSTICE T.RAJANI

CRIMINAL PETITION No. 2340 OF 2018

ORDER:

This petition is filed, under Section 438 of the Code of Criminal Procedure, 1973, seeking for grant of anticipatory bail to the petitioner-accused No. 2 in C.O.R.No. 15 of 2018 of Prohibition and Excise Station, Wyra, Khammam District, registered for the offences punishable under Section 34 (a) of Telangana Excise Act, 1968, read with Section 4 (a) & 5 (a) of Telangana Chloral Hydrate (Chloral), 1973.

2. Heard learned counsel for the petitioner and learned Public Prosecutor (T.S.).

3. The case of the prosecution is that accused No. 1 was found absconding, when she saw the excise police and when the police apprehended and enquired with her, she revealed the role of this petitioner, that he was the person who was selling Chloral Hydrate to her. Hence, the contention of learned counsel for the petitioner that accused No. 1 was granted regular bail cannot be taken into consideration for granting anticipatory bail to the petitioner.

4. In the light of the above, this Court opines that it is not a fit case for granting anticipatory bail to the petitioner. However, the petitioner can file a petition seeking for regular bail by surrendering himself before the Court below having jurisdiction. The Court below shall dispose of the bail application on merits, if any filed, expeditiously, preferably on the same day, subject to pressure of other work.

5. Subject to the above, the criminal petition is dismissed.
Pending miscellaneous petitions, if any, shall stand dismissed in
consequence.

05-03-2018.
JSK

T. RAJANI, J

