

HON'BLE Dr. JUSTICE B. SIVA SANKARA RAO

CRIMINAL PETITION No.5540 of 2018

ORDER :

This criminal petition filed under Section 438 Cr.P.C. by the petitioner/A.6 in Crime No.60 of 2018 of Julurpad Police Station, Bhadradri Kothagudem District, dated 25.04.2018, registered for the offences punishable under Sections 5 and 6 of Explosive Substances Act.

2. Heard learned counsel for the petitioner and learned Public Prosecutor, representing the State, and perused the bail application averments and F.I.R.

3. The petitioner along with bail application averments filed the explosive substance licence in the name of M/s.Manjunatha Enterprises, Proprietor Sri N. Srinu, by claiming that the petitioner/A.6/N.Srinivas @ Srinu is that person. In fact, there is no father's name. It is only care of address Sri B.Rajendra Prasad of Teldarpally, Khammam Rural. Whereas the present crime registered is within Julurpad Police Station of Bhadradri Kothagudem. Therefrom the licence granted on 18.02.2016 is only within the jurisdiction of Khammam District, whereas there is no licence to do business or dealing with the explosives in Nalgonda District. Where from, from the so-called disclosure statement of the co-accused from seizure, the petitioner stated supplied the said explosive substances. So far as A.5 concerned, he was arrested on 03.05.2018, A.1 to A.4

were arrested on 25.04.2018, their earlier bail applications Crl.P.Nos.5588 of 2018 and 5591 of 2018 respectively were dismissed as withdrawn on 08.06.2018. Even to consider the case of the petitioner, though it is the contention of the learned counsel for the petitioner that a statement of co-accused cannot be a basis. The matter is still under investigation, it is 20 detonators and 25 slurries that were found seized as supplied having in possession of large ammunition by the petitioner. Once such is the case, in the larger interest of the society even to consider the personal liberty of the petitioner, it is not a fit case that too to grant anticipatory bail.

4. Accordingly and in view of the above facts, the criminal petition is dismissed.

Miscellaneous petitions pending, if any, shall stand closed.

14th June 2018.

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Dr. B. SIVA SANKARA RAO, J