

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

CRIMINAL PETITION No. 24790 OF 2017

ORDER:

This Criminal Petition is filed under Section 438 Cr.P.C. seeking to grant anticipatory bail to the petitioner-A.3 in crime No.116 of 2017 of Hanwada police station, Mahaboobnagar District registered for the offence punishable under Section 5 of the Explosive Substances Act.

2. Heard the learned counsel for the petitioner-A.3, the learned Additional Public Prosecutor and perused the material available on record.

3. The learned counsel for the petitioner-A.3 would submit that the petitioner-A.3 is roped into this case pursuant to the confession made by A.1 and A.2; that he has nothing to do with the alleged seizure of explosives from the possession of A.1, ultimately, prayed to allow the application.

4. On the other hand, the learned Additional Public Prosecutor appearing for the respondent-State opposed the grant of bail to the petitioner-A.3 under Section 438 Cr.P.C..

5. In view of the facts and circumstances put forth by both sides, the point for determination is whether the petitioner-A.3 is entitled for bail under Section 438 Cr.P.C.?

6. As per the prosecution case, on 19.10.2017 at about 8.00 AM, when A.1 was proceeding to Kothacheruvu from Chinnadharpally village by a tractor bearing registration No.AP26AN 5280 with a compressor machine, police searched the tractor on the way and found explosive material viz. i) 23 detonators; ii) 130 gelatin sticks; iii) 1 battery; iv) 15 Kgs chemical urea and v) 1 Kg iron wire, and the said explosives,

along with the tractor with compressor, were seized under cover of panchanama. It is alleged that the petitioner-A.3 is supplier of those explosives. The allegations are grave. Gravity of the alleged offence is very high. The matter requires investigation. Under these circumstances, the petitioner is not entitled to bail under Section 438 Cr.P.C. The Criminal Petition is devoid of merit and liable to be dismissed.

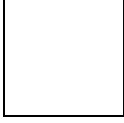
7. In the result, the Criminal Petition is dismissed.

Dr. SHAMEEM AKTHER, J

Date: 5.1.2018
DRK



THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER



Cr1.P. No. 24790 OF 2017

5.1.2018

DRK