

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

CRIMINAL PETITION No.1335 OF 2019

ORDER:

This Criminal Petition, under Section 439 (2) of the Code of Criminal Procedure, 1973, is filed to cancel the bail granted to the respondent-accused by setting aside the order, dated 11.02.2019, in CrI.M.P.No.518 of 2019 on the file of Special Judge for Economic Offences Court, Hyderabad.

2. Heard Sri P.Dharmesh, learned Special Public Prosecutor for GST appearing for the petitioners, Sri D.Prakash Reddy, learned Senior Counsel appearing for the respondent-accused and perused the record.

3. It has been contended by the learned Special Public Prosecutor for the petitioners that though there is specific mention in the counter filed before the Court below that the investigation was in progress, the Court below held that important witnesses were examined and granted bail to the respondent/accused; that in view of the release of the respondent/accused on bail, there is possibility of influencing the witnesses and creating hurdles in the investigation of the case and ultimately prayed to allow the application.

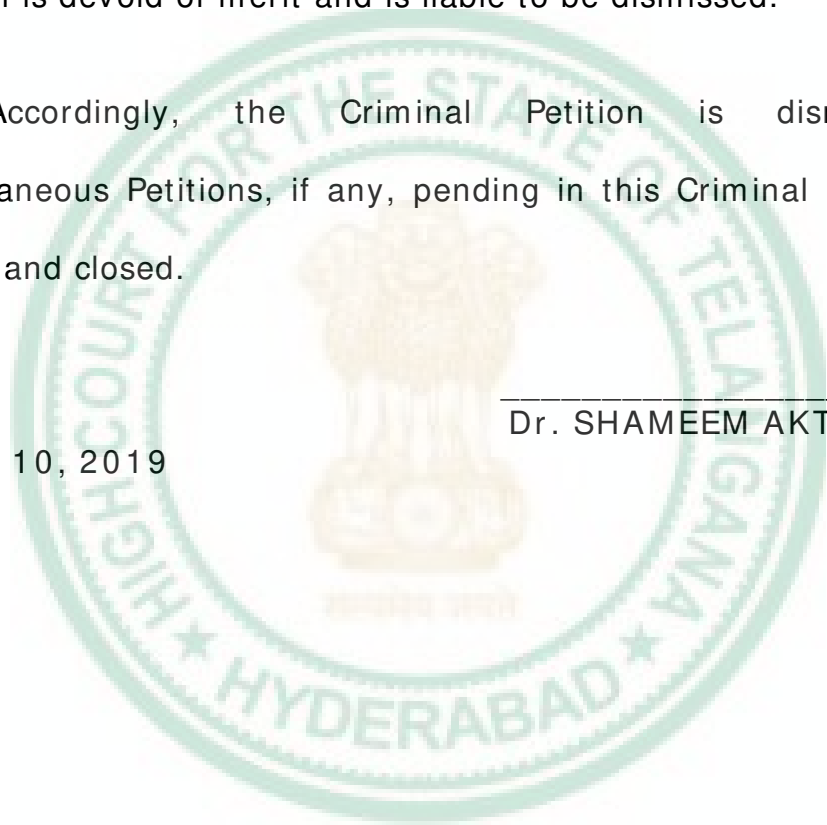
4. As per the material placed on record, the respondent-accused was remanded to judicial custody on 18.01.2019. After 25 days of his detention, he was granted regular bail vide impugned order, dated 11.02.2019 in CrI.M.P.No.518 of 2019.

5. It is pertinent to state that the whole prosecution case is based on documentary evidence. The release of the respondent/accused after 25 days of remand would not in any way hinder the investigation. The apprehension of the petitioners is based on surmises and imagination. No further detention of respondent/accused is necessary. There is justification in granting bail to the respondent/accused. The petition is devoid of merit and is liable to be dismissed.

6. Accordingly, the Criminal Petition is dismissed. Miscellaneous Petitions, if any, pending in this Criminal Petition shall stand closed.

APRIL 10, 2019
YVL

Dr. SHAMEEM AKTHER, J



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Date: April 10, 2019

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