

HON'BLE JUSTICE G. SRI DEVI

CRIMINAL PETITION No.4794 of 2019

ORDER:

This Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973 is filed by the petitioner, who is A.6, for grant of anticipatory bail in the event of his arrest in Crime No.101 of 2019 of Ichoda Police Station, Ichoda, Adilabad District, registered for the offences punishable under Sections 420, 468, 487, 120(b) of IPC and Sections 7 and 19 of the Seeds Act, 1966 and Section 15(1) of Environment Protection Act.

As per the case of the prosecution, A.1 and A.2 are indulged in supply of spurious cotton seeds and the petitioner/A.6 and several other accused were the Agents of A.1 and A.2 and they all used to purchase spurious cotton seeds from A.1 and A.2 and sell the same to the innocent farmers.

Heard learned counsel for the petitioner/A.6 and the learned Additional Public Prosecutor appearing for the respondent State. Perused the material on record.

Learned counsel for the petitioner contends that the petitioner is innocent of the offences alleged against him and he has been falsely implicated in the above crime due to village politics by some of his rivals. It is also contended that the petitioner is an agriculturist and he has no nexus or acquaintance with the prime accused and his name was included in the FIR as A.6 without disclosing any reasons and

without there being any specific allegations made against him. It is also contended that entire investigation in the above crime has already been completed and the petitioner is ready to abide by any conditions imposed by this Court, including assisting the investigating agency for his release on anticipatory bail in the event of his arrest in the above crime.

On the other hand, the learned Additional Public Prosecutor opposed the relief sought in the above petition.

As seem from the contents of FIR and Remand Report, there are specific allegations levelled against the petitioner that he is the Agent of A.1 and A.2 and helping them in selling the spurious cotton seeds to the poor farmers. Keeping in view the specific nature of allegations levelled against the petitioner and gravity of offence, I am not inclined to grant anticipatory bail to the petitioner. However, if the petitioner/A.6 surrenders before the Court below concerned within ten days from the date of receipt of a copy of this order and moves an application for regular bail, after giving prior notice to the Public Prosecutor concerned, the said application shall be considered in accordance with law.

With the above observations, this Criminal Petition is dismissed.

As a sequel, miscellaneous petitions pending, if any, shall stand closed.

JUSTICE G. SRI DEVI

14.08.2019.
Msr

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