

HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION NO.7732 OF 2019

ORDER:

This Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973 (Cr.P.C.), is filed by the petitioners/A-2 to A-4, for grant of anticipatory bail in Crime No.810 of 2019 of P.S. Mailardevpally, Cyberabad District, registered for the offences punishable under Section 288 of the Indian Penal Code and Section 9(B)(1)(b) of the Explosives Act.

Heard the learned counsel for the petitioners/A-2 to A-4, the learned Additional Public Prosecutor representing the respondent-State and perused the record.

In the FIR, it is *inter alia* stated that on 17.11.2019 on receipt of credible information that some people indulged in illegal blasting at Survey No.156/1 without any valid license from the concerned authority and were blasting boulder by using tractor compressor, gelatin sticks and detonators, the SI of Police visited the place and caught hold of the accused persons, who are making blasting by using contractor compressor and explosive materials i.e. gelatin sticks and detonators and hence, they were arrested and remanded to judicial custody.

Learned counsel for the petitioners/A-2 to A-4 would submit that the petitioners/A2 to A-4 are innocent of the offences alleged against them and they have been falsely implicated in this case. It is further submitted that the police completed investigation and they are about to file charge sheet. It is further submitted that the petitioner/A-2 is a permanent resident of Peddapally Village and petitioners/A-3 and A-4 are residents of Ranga Reddy District having fixed abode and landed property and hence, the question of

absconding does not arise. It is further submitted that A-1 was remanded on 17.11.2019 and released on 19.11.2019. It is further submitted that the police recorded the statements of L.Ws.1 to 9. L.W.10 is the investigating officer and hence, there is no question of tampering the evidence. It is further submitted that the petitioners are willing to furnish suitable security and abide by any condition which this Court would impose. Hence, he prayed to grant anticipatory bail to the petitioners/A-2 to A-4.

Learned Additional Public Prosecutor representing the respondent-State opposed to grant anticipatory bail to the petitioners/A-2 to A-4.

As seen from the contents of the F.I.R., there are specific allegations against the petitioners/A-2 to A-4 that they were indulged in illegal blasting by using tractor compressor, gelatin sticks and detonators.

Having regard to the facts and circumstances of the case, nature and gravity of the offence, this Court is not inclined to grant anticipatory bail to the petitioners/A-2 to A-4.

The Criminal Petition is, accordingly, dismissed. However, if the petitioners/A-2 to A-4 surrender before the competent Court within a period of fifteen days from today and apply for regular bail, the same shall be considered by the said Court, in accordance with law.

Miscellaneous applications, if any, pending shall stand dismissed.

(G. SRI DEVI, J)