

**HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

**FRIDAY, THE TWELFTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY ONE**

**PRESENT
THE HONOURABLE JUSTICE G SRI DEVI**

CRIMINAL PETITION NO: 668 OF 2021

Between:

Kamlesh Balasaheb Dane @ Kamlesh Tiwari, S/o Balasaheb

..PETITIONER/ACCUSED NO.4

AND

State of Telangana, rep. by the Public Prosecutor

...RESPONDENT/COMPLAINANT

Petition under Section 438 of Cr.P.C praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to direct the Station House Officer, Adilabad-I Town, to release the petitioner on bail in the event of his arrest in connection with Crime No.272/2020.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri.D.RAMAKRISHNA, Advocate for the Petitioner and of the Additional Public Prosecutor (TG) on behalf of the Respondent.

The Court made the following: ORDER

HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION NO.668 OF 2021

ORDER:

This Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973 (Cr.P.C.), is filed by the petitioner/A-4, for grant of anticipatory bail in Crime No.272 of 2020 of P.S. Adilabad I Town, Adilabad District, registered for the offences punishable under Sections 457 and 380 of the Indian Penal Code.

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

In the FIR, it is *inter alia* stated that the *de facto* complainant gave a complaint on 08.10.2020 at 20.15 hours stating that the petitioner/A-4 and other accused stolen cigarette cartons and pan masala worth Rs.8,00,000/- at I.A. Traders Shop, B. Ramulu Complex, Bhuktapur, Adilabad. On 31.10.2020, during the patrolling duty, the SI of Police along with staff arrested A-2, A-3 and A-5 and they have confessed to have committed the above offence along with A-1 and the petitioner/A-4. Hence, the FIR.

Learned counsel for the petitioner/A-4 would submit that the petitioner is innocent and he is no way concerned with the alleged offence. The petitioner/A-4 is a law-abiding citizen and is prepared to abide by any condition which this Court may deem fit to impose in case of granting anticipatory bail. Hence, he prayed to grant anticipatory bail to the petitioner/A-4.

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

As seen from the contents of the FIR, there are specific allegations against the petitioner/A-4 that he, along with other accused, has committed the abovementioned offences.

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 petitioner/A-4.

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

Miscellaneous applications, if any, pending shall stand closed.

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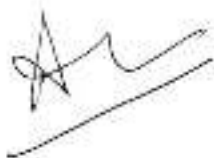
Sd/-I.NAGA LAKSHMI
ASSISTANT REGISTRAR

SECTION OFFICER

To

1. The Sessions Judge, Adilabad.
2. The Judicial First Class Magistrate, Adilabad.
3. The Station House Officer, Adilabad I Town Police Station, Adilabad.
4. Two CCs to the Public Prosecutor (TG), High Court for the State of Telangana, Hyderabad (OUT)
5. One CC to Sri D.Ramakrishna, Advocate (OPUC)
6. Two CD Copies

Kj.



HIGH COURT

DATED:12/02/2021

ORDER

CRLP.No.668 of 2021



DISMISSING THE CRL.P.

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MMO
27/02/2021