

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD
WEDNESDAY, THE SEVENTH DAY OF APRIL TWO THOUSAND AND
TWENTY ONE

:PRESENT:
THE HONOURABLE JUSTICE G SRI DEVI

CRIMINAL PETITION NO: 2186 OF 2021

Between:

Mamindla Venkatesh goud, S/o M.Satyanarayana Goud.

Petitioner/Accused

AND

The State of Telangana, Rep., its Public Prosecutor, High Court of Telangana AT
Hyderabad.

Respondent/Complainant

Petition under Section 438 of Cr.P.C. praying that in the circumstances stated in
the Criminal Petition, the High Court may be pleased to enlarge the petitioner on Bail in
the event of his arrest in Crime P.C.O.R. No. 215/2020 on the file of Prohibition and
Excise Police- Station Jadcheria Mahabubnagar District.

The petition coming on for hearing, upon perusing the Petition and the grounds
filed in support thereof and upon hearing the arguments of Sri G RAJESHWAR RAO,
Advocate for the Petitioner, Addl. PUBLIC PROSECUTOR for the Respondent, the
Court made the following.

ORDER:

HONOURABLE JUSTICE G. SRI DEVI
CRIMINAL PETITION NO.2186 OF 2021

ORDER:

This Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973 (Cr.P.C.), is filed by the petitioner/accused, for grant of anticipatory bail in PCOR No.215 of 2020 of Prohibition and Excise Police Station, Jadcherla, Mahabubnagar District, initially registered for the offence under Rule 27(i) of T.S. Toddy Excise Rules, 2007 and later altered the offence to Section 8(c) r/w. 22 of the NDPS Act.

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

The allegation against the petitioner/accused is that on 13.12.2020 at about 4.25 pm, the Excise Police, Jadcherla, visited Aloor Village of Jadcherla Mandal, TFT Toddy Shop, counter No.10 and found the petitioner/accused conducting business and also found 35 plastic crate containing 12 bottles filled with 650 ml of toddy in each. Hence, the complaint.

Learned counsel for the petitioner/accused would submit that there were three counters and three different license numbers to each of the counter and the inspecting authorities have collected samples collectively from all the shops, mixed the same and sent for FSL report basing on the statements given by the panch witnesses at the spot and

admittedly, the petitioner was not present at the time of collecting the samples or sending the same for FSL Report. The petitioner is a valid license holder till 30.09.2022. The petitioner is not having any previous criminal record and that he is ready to abide by any condition that may be imposed in the event of his enlargement on anticipatory bail. Hence, he prayed to grant anticipatory bail to the petitioner/accused.

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

Looking into the nature of allegations levelled against the petitioner and having regard to the facts and circumstances of the case, without going into the merits of the case, this Court is inclined to grant anticipatory bail to the petitioner/accused on some conditions.

Accordingly, the Criminal Petition is allowed and the petitioner/accused is directed to surrender before the Station House Officer, Prohibition and Excise P.S., Jadcherla, Mahabubnagar District, within a period of 15 days from the date of this order. On such surrender, the said Station House Officer shall release the petitioner/accused on bail, on his executing personal bond for a sum of Rs.15,000/- (Rupees fifteen thousand only) with two sureties for a like sum each to his satisfaction. On such release, the petitioner/accused shall also abide by the conditions stipulated in Section 438(2)

Cr.P.C and co-operate with the investigating officer in investigating the case.

Miscellaneous applications, if any, pending shall stand closed.

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SD/- K.VENKAIAH
ASSISTANT REGISTRAR

KVK
SECTION OFFICER

To,

1. The I Addl. District and Sessions Judge, at Mahabubnagar.
2. The Prohibition and Excise Police Station, Jadcherla, Mahabubnagar District
3. One CC to SRI G RAJESHWAR RAO Advocate [OPUC]
4. Two CCs to PUBLIC PROSECUTOR, High Court at Hyderabad. (OUT)
5. One spare copy

mvj

HIGH COURT

GSD,J

DATED:07/04/2021

ORDER

CRLP.No.2186 of 2021



BAIL